

\$100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### 8. Taking of Private Property

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

#### 9. Civil Justice Reform

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

#### 10. Protection of Children From Environmental Health Risks

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

#### 11. Indian Tribal Governments

This proposed 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.

#### 12. Energy Effects

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

#### 13. Technical Standards

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

#### 14. 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 (NEPA) (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 establishment of a temporary safety zone. This rulemaking may be categorically excluded from further review under paragraph 34(g) of Figure 2-1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### List of Subjects in 33 CFR Part 165

Marine safety, Navigation (water), Reporting and record keeping requirements, waterways.

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

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREA

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

**Authority:** 33 U.S.C 1226, 1231; 46 U.S.C Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T01.0013 to read as follows:

#### § 165.T01-0013 Safety Zone; Amway China fireworks, Upper New York Bay, Ellis Island, NY

(a) *Regulated Area.* The following area is a temporary safety zone: all navigable waters of The Upper New York Bay within a box bound by a line drawn from position 40°42'15.05" N, 074°02'10.57" W north east to 40°42'25.66" N, 074°01'44.94" W south east to 40°41'42.04" N, 074°01'41.78" W, south west to 40°41'40.72" N, 074°02'08.35" W, then back to the point of origin.

(b) *Effective Period.* This rule will be effective from approximately 8:45 p.m. until approximately 10:00 p.m. on April 16, 2014 or in the event of inclement weather from 8:45 p.m. until approximately 10:00 p.m. on April 17, 2014.

(c) *Definitions.* The following definitions apply to this section:

(1) Designated Representative. A "designated representative" is any Coast

Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port Sector New York (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) Official Patrol Vessels. Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(d) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) No vessels, except for fireworks barge and accompanying vessels, will be allowed to transit the safety zone without the permission of the COTP.

(3) All persons and vessels shall comply with the instructions of the COTP or the designated representative. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(4) Vessel operators desiring to enter or operate within the regulated area shall contact the COTP or the designated representative via VHF channel 16 or 718-354-4353 (Sector New York command center) to obtain permission to do so.

Dated: December 23, 2013.

**J.F. Dixon,**

*Captain, U.S. Coast Guard, Acting Captain of the Port New York.*

[FR Doc. 2014-01149 Filed 1-21-14; 8:45 am]

BILLING CODE 9110-04-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[Docket Number [EPA-HQ-OAR-2013-0495; FRL 9905-61-OAR]

### Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; Notice of public hearing.

**SUMMARY:** The Environmental Protection Agency (EPA) published in the **Federal Register** on January 8, 2014, the proposed rule, "Standards of

Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units.” The EPA is announcing a change in the date for the public hearing to be held for the proposed Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units.

**DATES:** The public hearing will be held on February 6, 2014.

**ADDRESSES:** The public hearing will be held on February 6, 2014, at the William Jefferson Clinton East Building, Room 1153 (Map Room), 1201 Constitution Avenue NW., Washington, DC 20004. The hearing will convene at 9:00 a.m. (Eastern Standard Time) and end at 8:00 p.m. (Eastern Standard Time).

A lunch break is scheduled from 12:00 p.m. until 1:00 p.m. and a dinner break is scheduled from 5:00 p.m. until 6:00 p.m. The EPA will make every effort to accommodate all speakers. The EPA’s Web site for the rulemaking, which includes the proposal and information about the hearing, can be found at: <http://epa.gov/carbonpollutionstandard/>.

**FOR FURTHER INFORMATION CONTACT:** If you would like to present oral testimony at the public hearing, please contact Ms. Pamela Garrett, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Sector Policies and Programs Division (D243-01), Research Triangle Park, North Carolina 27711; telephone: (919) 541-7966; fax number: (919) 541-5450; email address: [garrett.pamela@epa.gov](mailto:garrett.pamela@epa.gov) (preferred method for registering). The last day to register to present oral testimony in advance will be Tuesday, February 4, 2014. If using email, please provide the following information: the time you wish to speak (morning, afternoon or evening), name, affiliation, address, email address and telephone and fax numbers. Time slot preferences will be given in the order requests are received. Additionally, requests to speak will be taken the day of the hearing at the hearing registration desk, although preferences on speaking times may not be able to be fulfilled. If you require the service of a translator, please let us know at the time of registration.

Questions concerning the rule that was published in the **Federal Register** on January 8, 2014, should be addressed to Mr. Christian Fellner, Office of Air Quality Planning and Standards, Sector Policies and Programs Division (D 243-04), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-4003; facsimile number: (919) 541-5450;

email address: [fellner.christian@epa.gov](mailto:fellner.christian@epa.gov).

**Public hearing:** The proposal for which the EPA is holding the public hearing was published in the **Federal Register** on January 8, 2014, and is available at: <http://www.epa.gov/carbonpollutionstandard/> and also in the docket identified below. The public hearing will provide interested parties the opportunity to present oral comments regarding the EPA’s proposed standards, including data, views or arguments concerning the proposal. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearing.

Commenters should notify Ms. Garrett if they will need specific equipment or if there are other special needs related to providing comments at the public hearing. The EPA will provide equipment for commenters to make computerized slide presentations if we receive special requests in advance. Oral testimony will be limited to 5 minutes for each commenter. The EPA encourages commenters to submit to the docket a copy of their oral testimony electronically (via email or CD) or in hard copy form.

The public hearing schedule, including lists of speakers, will be posted on the EPA’s Web site at: <http://www.epa.gov/carbonpollutionstandard/>. Verbatim transcripts of the hearing and written statements will be included in the docket for the rulemaking. The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearing to run either ahead of schedule or behind schedule.

#### **How can I get copies of this document and other related information?**

The EPA has established a docket for the proposed rule, “Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units” under Docket ID No. EPA-HQ-OAR-2013-0495, available at [www.regulations.gov](http://www.regulations.gov).

#### **List of Subjects in 40 CFR Part 63**

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 14, 2014.

**Mary E. Henigin,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. 2014-01065 Filed 1-21-14; 8:45 am]

**BILLING CODE 6560-50-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[**MB Docket No. 14-1, RM-11710; DA 14-26**]

### **Television Broadcasting Services; South Bend, Indiana**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by LeSEA Broadcasting of South Bend, Inc. (“LeSEA”), the licensee of station WHME-TV, channel 48, South Bend, Indiana, requesting to return to its previously allotted channel 48 at South Bend. On March 2, 2010, the Commission substituted channel 46 for channel 48 at LeSEA’s request; however, LeSEA now asserts that it will neither serve the public interest nor make economic or technical sense to expend resources to build WHME-TV’s channel 46 facility.

**DATES:** Comments must be filed on or before February 21, 2014, and reply comments on or before March 10, 2014.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Joseph C. Chautin, III, Esq., Hardy, Carey, Chautin & Balkin, L.L.P., 1080 West Causeway Approach, Mandeville, LA 70471-3036.

#### **FOR FURTHER INFORMATION CONTACT:**

Adrienne Denysyk, [Adrienne.Denysyk@fcc.gov](mailto:Adrienne.Denysyk@fcc.gov), Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s Notice of Proposed Rule Making, MB Docket No. 14-1, adopted January 9, 2014, and released January 9, 2014. The full text of this document is available for public inspection and copying during normal business hours in the FCC’s Reference Information Center at Portals II, CY-A257, 445 12th Street SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may