

FIGURE 2 TO PARAGRAPH (g) OF THIS AD: APU FUEL VALVE POSITION INDICATION OPERATIONAL CHECK

AWL No.	Task	Interval	Applicability	Description
28-AWL-APU	ALI ....	10 DAYS ..	ALL .....	<p>APU Fuel Valve Position Indication Operational Check</p> <p>Concern: The MOV actuator design can result in airplanes operating with a failed MOV actuator that is not reported. A latently failed MOV actuator could prevent fuel shutoff to the APU. In the event of certain APU fires, the potential exists for an APU fire to be uncontrollable.</p> <p>Perform the operational check of the APU Fuel Valve position indication (unless checked by the flight crew in a manner approved by the principal operations inspector).</p> <p>A. Operational check of the APU Fuel Valve position indication</p> <ol style="list-style-type: none"> <li>1. If the APU is running, unload and shut down the APU using standard practices.</li> <li>2. Make sure the APU FIRE switch on the Aft Aisle Stand is in the NORMAL (IN) position.</li> <li>3. Make sure there is at least 700 lbs (300 kgs) of fuel in the Left Main Tank.</li> <li>4. Move APU Selector switch on the Overhead Panel to the ON position and wait 10 seconds.</li> <li>5. Move APU Selector switch on the Overhead Panel to the OFF position.</li> <li>6. Verify the APU FAULT light on the Overhead Panel illuminates and then goes off.</li> <li>7. If the test fails (light fails to illuminate), before further flight requiring APU availability, repair faults as required (refer to Boeing AMM 28-25-11).</li> </ol> <p>NOTE: Dispatch may be permitted per MMEL 28-25-02 if APU is not required for flight.</p>

**(h) No Alternative Actions and Intervals**

After accomplishment of the maintenance or inspection program revision required by paragraph (g) of this AD, no alternative actions (e.g., inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (i)(1) of this AD.

**(i) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO) 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 ACO, send it to the attention of the person identified in paragraph (j) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-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.

**(j) Related Information**

For more information about this AD, contact Rebel Nichols, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 917-6509; fax: (425) 917-6590; email: [rebel.nichols@faa.gov](mailto:rebel.nichols@faa.gov).

Issued in Renton, Washington, on February 21, 2014.

**John P. Piccola,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2014-04898 Filed 3-4-14; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF JUSTICE****28 CFR Part 32**

[Docket No.: OJP (BJA) 1646]

RIN 1121-AA80

**Public Safety Officers' Benefits Program**

**AGENCY:** Office of Justice Programs, Justice.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Office of Justice Programs (OJP) of the U.S. Department of Justice proposes this rule to amend the regulation that implements the Public Safety Officers' Benefits (PSOB) Act and associated statutes. Generally speaking, these laws provide financial support to certain public safety officers, or their survivors and families, when such officers die, or become permanently and totally disabled, as a result of line-of-duty injuries, or when they die of heart attacks or strokes sustained within statutorily-specified timeframes of engaging or participating in certain line-of-duty activity. The proposed rule would amend the implementing regulation in order to change the definition of "Spouse."

**DATES:** Written comments must be postmarked and electronic comments must be submitted on or before April 4, 2014. Comments received by mail will be considered timely if they are postmarked on or before that date. The electronic Federal Docket Management System (FDMS) will accept comments until Midnight Eastern Time at the end of that day.

**ADDRESSES:** Please address all comments regarding this rule by U.S. mail, to: Hope Janke, Bureau of Justice Assistance (BJA), Office of Justice Programs, 810 7th Street NW., Washington, DC 20531; or by telefacsimile to (202) 354-4135. To ensure proper handling, please reference OJP Docket No. 1646 on your correspondence. Comments may also be sent electronically through <http://regulations.gov> using the electronic comment form provided on that site. An electronic copy of this document is also available at the <http://regulations.gov> Web site. OJP will accept attachments to electronic comments in Microsoft Word, WordPerfect, or Adobe PDF formats only. The public's opportunity to comment through <http://regulations.gov> terminates at midnight Eastern Time on the day that the comment period closes. All comments received via U.S. mail, or an express mail carrier, must be postmarked on or before the day that the comment period closes.

**FOR FURTHER INFORMATION CONTACT:** Hope Janke, BJA, OJP, at (202) 514-6278, or toll-free at 1 (888) 744-6513.

**SUPPLEMENTARY INFORMATION:**

## I. Posting of Public Comments

Please note that all comments received are considered part of the public record and made available for public inspection online at <http://www.regulations.gov>. Information made available for public inspection includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

If you wish to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not wish it to be posted online, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also locate all the personal identifying information that you do not want posted online in the first paragraph of your comment and identify what information you want the agency to redact. Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online.

If you wish to submit confidential business information as part of your comment but do not wish it to be posted online, you must include the phrase "CONFIDENTIAL BUSINESS INFORMATION" in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, the agency may choose not to post that comment (or to only partially post that comment) on <http://www.regulations.gov>. Confidential business information identified and located as set forth above will not be placed in the public docket file, nor will it be posted online.

If you wish to inspect the agency's public docket file in person by appointment, please see the **FOR FURTHER INFORMATION CONTACT** paragraph.

## II. Background

The Public Safety Officers' Benefits (PSOB) Program (established pursuant to the Public Safety Officers' Benefits Act of 1976 proper and certain associated statutes, enacted in 2001) is administered by the Office of Justice Programs of the U.S. Department of Justice. The PSOB Program provides a one-time financial payment to the statutorily-eligible survivors (including "spouse[s]") of public safety officers who die as the direct and proximate result of (actual or presumed) traumatic personal injuries sustained in the line of

duty, as well as educational assistance for their "spouse[s]" and certain of their children. Alternatively, the PSOB Program provides a one-time financial payment to public safety officers themselves who are permanently and totally disabled as the direct and proximate result of personal injuries sustained in the line of duty, as well as educational assistance for their "spouse[s]" and certain of their children.

Following the recent Supreme Court decision in *United States v. Windsor*, 570 U.S. \_\_\_ (2013), OJP is proposing this rule to amend the regulatory definition of "spouse" under the program, at 28 CFR 32.3. The proposed rule would recognize, as a matter of federal law, a person who lawfully enters into a marriage in one jurisdiction as a "spouse" for purposes of the program, even when living in another jurisdiction, and without regard to what the law of that other jurisdiction may provide. Consonant with prior program regulations, however, an exception to this general rule would apply where there is credible evidence that more than one person may be the public safety officer's spouse. In such cases, the PSOB Program would look to the jurisdiction with the most significant interest in the marital status of the officer.

As provided in 42 U.S.C. 3796c-2, any final rule promulgated pursuant to the proposed rule would "apply to any matter pending on, or filed or accruing after, the effective date" of that final rule.

## III. Regulatory Requirements

### *Executive Order 12866 and 13563—Regulatory Planning and Review*

This proposed rule has been drafted and reviewed in accordance with Executive Order 12866, "Regulatory Planning and Review," section 1(b), Principles of Regulation, and in accordance with Executive Order 13563, "Improving Regulation and Regulatory Review," section 1(b), General Principles of Regulation. Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). The costs of implementing this proposed rule would be minimal, as it would impose no costs on state, local, or tribal governments, or on the private sector.

The Office of Justice Programs has determined that this proposed rule is not a "significant regulatory action" under section 3(f) of the Executive Order, and accordingly this rule has not been reviewed by the Office of Management and Budget.

### *Executive Order 13132—Federalism*

This proposed rule would not have substantial direct effects on the States, on the relationship between the federal government and the States, or on distribution of power and responsibilities among the various levels of government. The PSOB program statutes provide benefits to individuals and do not impose any special or unique requirements on States or localities. Therefore, in accordance with Executive Order No. 13132, it is determined that this proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### *Executive Order 12988—Civil Justice Reform*

This proposed rule meets the applicable standards set forth in sections 3(a) & (b)(2) of Executive Order No. 12988. Pursuant to section 3(b)(1)(I) of the Executive Order, nothing in this proposed rule or any previous rule (or in any administrative policy, directive, ruling, notice, guideline, guidance, or writing) directly relating to the Program that is the subject of this rule is intended to create any legal or procedural rights enforceable against the United States, except as the same may be contained within part 32 of title 28 of the Code of Federal Regulations.

### *Regulatory Flexibility Act*

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons: this proposed rule addresses federal agency procedures; furthermore, this proposed rule would make amendments to clarify existing regulations and agency practice concerning public safety officers' death, disability, and education benefits and would do nothing to increase the financial burden on any small entities. Therefore, an analysis of the impact of this proposed rule on such entities is not required under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

### *Paperwork Reduction Act of 1995*

This proposed rule would not impose any new reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

*Unfunded Mandates Reform Act of 1995*

This proposed rule would not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. The PSOB program is a federal benefits program that provides benefits directly to qualifying individuals. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

**List of Subjects in 28 CFR Part 32**

Administrative practice and procedure, Claims, Disability benefits, Education, Emergency medical services, Firefighters, Law enforcement officers, Reporting and recordkeeping requirements, Rescue squad.

Accordingly, for the reasons set forth in the preamble, part 32 of chapter I of Title 28 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 32—PUBLIC SAFETY OFFICERS' DEATH, DISABILITY, AND EDUCATIONAL ASSISTANCE BENEFITS CLAIMS**

■ 1. The authority citation for 28 CFR Part 32 continues to read as follows:

**Authority:** 42 U.S.C. ch. 46, subch. XII; 42 U.S.C. 3782(a), 3787, 3788, 3791(a), 3793(a)(4) & (b), 3795a, 3796c-1, 3796c-2; sec. 1601, title XI, Public Law 90-351, 82 Stat. 239; secs. 4 through 6, Public Law 94-430, 90 Stat. 1348; secs. 1 and 2, Public Law 107-37, 115 Stat. 219.

■ 2. Section 32.3 is amended by revising the definition of “Spouse” to read as follows:

**§ 32.3 Definitions.**

\* \* \* \* \*

*Spouse* means someone with whom an individual entered into marriage lawfully under the law of the jurisdiction in which it was entered into and from whom the individual is not divorced, and includes a spouse living apart from the individual, other than pursuant to divorce, except that, notwithstanding any other provision of law, to determine whether an individual is a spouse of a public safety officer within the meaning of this definition when more than one individual is purported to be such a spouse, the PSOB Program will apply the law of the jurisdiction that it determines has the most significant interest in the marital status of the public safety officer:

(1) On the date of the officer's death, with respect to a claim under subpart B

of this part or by virtue of such death; or

(2) As of the injury date, with respect to a claim not under subpart B of this part or by virtue of the officer's death.

\* \* \* \* \*

Dated: February 21, 2014.

**Karol V. Mason,**

*Assistant Attorney General.*

[FR Doc. 2014-04647 Filed 3-4-14; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

**[EPA-HQ-SFUND-1999-0013; FRL-9907-49-Region 2]**

**National Oil and Hazardous Substance Pollution Contingency Plan National Priorities List: Deletion of the Federal Creosote Superfund Site**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; notice of intent.

**SUMMARY:** The Environmental Protection Agency (EPA) Region II is issuing a Notice of Intent to Delete the Federal Creosote Superfund Site located in Manville, New Jersey, from the National Priorities List (NPL) and requests public comments on this proposed action. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). EPA and the State of New Jersey, through the New Jersey Department of Environmental Protection, have determined that all appropriate response actions under CERCLA, other than long-term groundwater monitoring and five-year reviews, have been completed. However, this deletion does not preclude future actions under Superfund.

**DATES:** Comments must be received by April 4, 2014.

**ADDRESSES:** Submit your comments, identified by Docket ID no. EPA-HQ-SFUND-1999-0013, by one of the following methods:

• <http://www.regulations.gov>. Follow on-line instructions for submitting comments.

• *Email:* [puvogel.rich@epa.gov](mailto:puvogel.rich@epa.gov): Rich Puvogel, Remedial Project Manager, [seppi.pat@epa.gov](mailto:seppi.pat@epa.gov): Pat Seppi, Community Involvement Coordinator

• *Fax:* (212) 637-4429.

• *Mail:* Rich Puvogel, Remedial Project Manager, U.S. Environmental Protection Agency, Emergency & Remedial Response Division, 290 Broadway, 19th Floor, New York, NY 10007-1866.

or

Pat Seppi, Community Involvement Coordinator, U.S. Environmental Protection Agency, Public Affairs Division, 290 Broadway, 26th Floor, New York, NY 10007-1866.

• *Hand Delivery:* U.S. Environmental Protection Agency, Emergency & Remedial Response Division, 290 Broadway, 19th Floor, New York, NY 10007-1866.

Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID no. EPA-HQ-SFUND-1999-0013. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket**

All documents in the docket are listed in the <http://www.regulations.gov> index.