

Order 13132 does not apply to this action.

In the spirit of Executive Order 13132, and consistent with EPA policy to promote communications between EPA and state and local governments, EPA specifically solicits comment on this proposed action from state and local officials.

*F. Executive Order 13175 (Consultation and Coordination With Indian Tribal Governments)*

This action does not have tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). This rule imposes no regulatory requirements or costs on any tribal government. It does not have substantial direct effects on tribal governments, the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes. Thus, Executive Order 13175 does not apply to this action.

*G. Executive Order 13045 (Protection of Children From Environmental Health and Safety Risks)*

This rule is not subject to Executive Order 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant as defined in Executive Order 12866 and because the environmental health or safety risks addressed by this action do not present a disproportionate risk to children.

The public is invited to submit comments or identify peer-reviewed studies and data that assess effects of early life exposure.

*H. Executive Order 13211 (Actions That Significantly Affect Energy Supply, Distribution, or Use)*

This action is not subject to Executive Order 13211 (66 FR 28355 (May 22, 2001)), because it is not a significant regulatory action under Executive Order 12866.

*I. National Technology Transfer and Advancement Act of 1995*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Public Law 104-113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities, unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business

practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This proposed rulemaking does not involve technical standards. Therefore, EPA is not considering the use of any voluntary consensus standards.

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

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA has determined that this proposed rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because: (1) Florida's WQS apply to waters across the state, and thus this action will not disproportionately affect any one group over another, and (2) EPA has previously determined, based on the most current science, that Florida's adopted and EPA-approved criteria are protective of human health and aquatic life.

**List of Subjects in 40 CFR Part 131**

Environmental protection, Florida, Nitrogen and phosphorus pollution, Nutrients, Water quality standards.

Dated: March 26, 2014.

**Gina McCarthy**,  
Administrator.

For the reasons set out in the preamble, EPA proposes to amend 40 CFR part 131 as follows:

**PART 131—WATER QUALITY STANDARDS**

■ 1. The authority citation for part 131 continues to read as follows:

**Authority:** 33 U.S.C. 1251 *et seq.*

**Subpart D—Federally Promulgated Water Quality Standards**

**§ 131.43 [Removed]**

■ 2. Section 131.43 is removed.

[FR Doc. 2014-07387 Filed 4-1-14; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 761**

[EPA-HQ-RCRA-2013-0396; FRL-9909-00-OSWER]

**RIN 2050-AG79**

**Polychlorinated Biphenyls (PCBs): Manufacturing (Import) Exemption for the Defense Logistics Agency (DLA)**

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

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA or the Agency) is proposing to take action on a petition from the United States Defense Logistics Agency (DLA) to import foreign-manufactured polychlorinated biphenyls (PCBs). For purposes of the Toxic Substances Control Act (TSCA), "manufacture" is defined to include the import of chemical substances into the customs territory of the United States. With certain exceptions, section 6(e)(3) of TSCA bans the manufacture, processing, and distribution in commerce of PCBs. One of these exceptions is TSCA section 6(e)(3)(B), which gives EPA authority to grant petitions to import PCBs into the customs territory of the United States for a period of up to 12 months, provided EPA can make certain findings by rule. On April 23, 2013, EPA received a petition from DLA, a component of the United States Department of Defense (DOD), to import foreign-manufactured PCBs that DOD currently owns in Japan for disposal in the United States. EPA is proposing to grant DLA's petition as of July 1, 2014. This proposal to grant the petition, if finalized, would allow DLA to manufacture (i.e., import) certain PCBs for disposal. EPA has granted two previous exemptions in 2003 and 2007 to DLA for similar petitions to import PCBs for disposal. Without an exemption granted by EPA, DLA would not be allowed to import the PCB waste to the U.S. for proper disposal. In fact, if the exemption is not granted, it is very likely that DLA will not be able to find any country willing to accept and properly dispose of the PCB waste.

**DATES:** Written comments or a request for an informal hearing (per 40 CFR part 750, subpart B) must be received by May 2, 2014.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-RCRA-2013-0396, by mail to RCRA Docket, Mail Code 28221T, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460. Attention Docket ID No. EPA-HQ-RCRA-2013-0396. Please include a total of two copies. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the Rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Kelly Greene, U.S. Environmental Protection Agency, Office of Resource Conservation and Recovery, (MC: 5304P), 1200 Pennsylvania Avenue NW., Washington, DC 20460, Phone: 703-347-0363; or by email: [greenekelly@epa.gov](mailto:greenekelly@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Why is EPA proposing this rule?**

EPA is proposing to grant DLA's petition to revise 40 CFR 761.80, which will allow DLA to import its PCB waste from Japan back to the customs territory of the United States for proper disposal. In addition, in the Rules section of this **Federal Register**, EPA is promulgating a direct final rule to make the same revision as is being proposed here, for the reasons outlined in detail in the preamble to that direct final rule. The reason EPA is issuing a direct final rule elsewhere in this **Federal Register** is because we view this revision as a noncontroversial action and anticipate no adverse comment. However, if we receive adverse comment or a request for an informal hearing, we will withdraw the direct final rule (and therefore it will not take effect based on the direct final rule), and address all public comments in any subsequent final rule based on this proposed rule. Alternatively, if we receive no adverse comment (or request for an informal hearing) on the change we are promulgating today in the direct final rule, we will not take further action on this proposed rule. We do not intend to institute a second comment period on this action, unless an informal hearing is requested, in which case comments will be accepted until one week after the close of the informal hearing. Any parties interested in commenting should do so at this time, since there may not be an informal hearing. For further information, please see the information

provided in the **ADDRESSES** section of this document.

**II. Does this action apply to me?**

The discussion of the potentially affected entities by this proposed rule can be found in the preamble to the direct final rule located in the Rules section of this **Federal Register**.

**III. Statutory and Executive Order Reviews**

For a complete discussion of all the administrative requirements applicable to this action, see the direct final rule in the Rules section of this **Federal Register**.

The Regulatory Flexibility Act (RFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of today's rule on small entities, small entity is defined as: (1) A small business that is primarily engaged in hazardous waste treatment and disposal as defined by NAICS code 562211, with annual receipts of less than 12.5 million dollars (based on Small Business Administration size standards); (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.

After considering the economic impacts of today's proposed rule on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. This rule merely allows DOD to bring its PCB waste back to the U.S. for proper disposal.

**List of Subjects in 40 CFR Part 761**

Environmental protection, Hazardous substances, and Polychlorinated biphenyls.

Dated: March 25, 2014.

**Mathy Stanislaus,**

*Assistant Administrator, Office of Solid Waste and Emergency Response.*

[FR Doc. 2014-07390 Filed 4-1-14; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 36**

[CC Docket No. 80-286; FCC 14-27]

**Jurisdictional Separations and Referral to the Federal-State Joint Board**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) seeks public comment on a proposal to extend the freeze of jurisdictional separations category relationships and cost allocation factors in the Commission's rules for three years, through June 30, 2017. This document also proposes to direct the Wireline Competition Bureau to open a filing "window" to encourage (but not require) rate-of-return incumbent LECs that desire waivers of the category relationships freeze to file during the window.

**DATES:** Comments are due on or before April 16, 2014. Reply comments are due on or before April 23, 2014.

**ADDRESSES:** You may submit comments identified by CC Docket No. 80-286 by any of the following methods:

- Federal Communications Commission's Web site: <http://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Greg Haledjian, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1520 or [gregory.haledjian@fcc.gov](mailto:gregory.haledjian@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Further Notice of Proposed Rulemaking (FNPRM) in CC Docket No. 80-286, dated on March 26, 2014 and released on March 27, 2014. The full text of this document is available for public inspection during regular business hours in the Commission's Reference Center, 445 12th Street SW., Room CY-A257, Washington, DC, 20554. The full text of this document may be downloaded at the following Internet address: <http://www.fcc.gov/documents/>