

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 261

#### Identification and Listing of Hazardous Waste

##### CFR Correction

■ In Title 40 of the Code of Federal Regulations, Parts 260 to 265, revised as of July 1, 2013, on page 37, in § 261.3, paragraphs (a)(2)(v)(A) and (B) are reinstated to read as follows:

##### § 261.3 Definition of hazardous waste.

(a) \* \* \*

(2) \* \* \*

(v) \* \* \*

(A) The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins, if they are processed, through a tolling agreement, to reclaim metalworking oils/fluids. The presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed.

(B) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

\* \* \* \* \*

[FR Doc. 2014-14607 Filed 6-19-14; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 22

#### Public Mobile Services

##### CFR Correction

■ In Title 47 of the Code of Federal Regulations, Parts 20 to 39, revised as of October 1, 2013, on page 60, in § 22.355, in Table C-1, the heading of the third column is corrected to read "Mobile >3 watts (ppm)".

[FR Doc. 2014-14612 Filed 6-19-14; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 97

[WT Docket No. 12-283; FCC 14-74]

#### Amateur Service Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This document amends the rules for the Amateur Radio Service by modifying the qualifying examination system to grant partial examination credit for certain expired amateur operator licenses, permits examinations to be administered remotely, and allows amateur stations to transmit certain additional emission types. The rule amendments are necessary to implement these changes. Additionally, this document amends certain rules to conform them to prior Commission decisions. The effect of this action is to enhance the usefulness of the amateur service rules by making the amateur service more accessible to former licensees and to allow amateur stations to transmit certain additional emission types.

**DATES:** Effective July 21, 2014.

##### FOR FURTHER INFORMATION CONTACT:

William T. Cross, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-0680, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order (R&O)*, adopted June 5, 2014, and released June 9, 2014. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). Alternative formats are available to persons with disabilities by sending an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or by calling the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

1. By this action, the Commission amends the rules for the Amateur Radio Service by modifying the qualifying examination system to grant partial examination credit for certain expired amateur operator licenses.

2. Also, by this action, the Commission permits examinations to be administered remotely.

3. In addition, the Commission allows amateur stations to transmit certain additional emission types and makes certain minor, non-substantive amendments to the amateur service rules to reflect that the Commission previously eliminated the requirement that certain amateur radio service licensees pass a Morse code examination.

4. The rules that the Commission adopted in this *R&O* apply to amateur radio clubs, some of which may be small entities. The Commission certifies that no regulatory flexibility analysis is necessary here because, even if a substantial number of amateur radio clubs were affected by the rules, there would not be a significant economic impact on those entities. The rules we are adopting do not impose economic requirements. Instead, they relate to the administration of the amateur radio service. Therefore, we certify that the rule changes adopted in this *R&O* will not have a significant economic impact on a substantial number of small entities.

5. This *R&O* and the rule amendments are issued under the authority contained in 47 U.S.C. 154(j), 303(r), and 403.

6. Paperwork Reduction Act Analysis. This Report and Order does not contain new or modified information collection(s), subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, because businesses are not eligible for licensing in the amateur radio service, the Report and Order it does not contain any proposed new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

7. Congressional Review Act. The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(4).

8. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL SEND a copy of this *Report and Order*, including the Initial and Final Regulatory Flexibility Certifications, to the Chief Counsel for Advocacy of the Small Business Administration.

##### List of Subject in 47 CFR Part 97

Radio.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

##### Rule Changes

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 97 as follows:

##### PART 97—AMATEUR RADIO SERVICE

■ 1. The authority citation for part 97 continues to read as follows:

**Authority:** 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or

apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609, unless otherwise noted.

■ 2. Section 97.3 is amended by revising paragraph (c)(5) to read as follows:

**§ 97.3 Definitions.**

\* \* \* \* \*

(c) \* \* \*

(5) *Phone*. Speech and other sound emissions having designators with A, C, D, F, G, H, J or R as the first symbol; 1, 2, 3 or X as the second symbol; E as the third symbol. Also speech emissions having B or F as the first symbol; 7, 8 or 9 as the second symbol; E as the third symbol. MCW for the purpose of performing the station identification procedure, or for providing telegraphy practice interspersed with speech. Incidental tones for the purpose of selective calling or alerting or to control the level of a demodulated signal may also be considered phone.

\* \* \* \* \*

■ 3. Section 97.7 is amended by revising the section heading to read as follows:

**§ 97.7 Control operator required.**

\* \* \* \* \*

■ 4. Section 97.21 is amended by revising paragraph (c) to read as follows:

**§ 97.21 Application for a modified or renewed license grant.**

\* \* \* \* \*

(c) Except as provided in paragraph (a)(3) of this section, a call sign obtained under the sequential or vanity call sign system will be reassigned to the station upon renewal or modification of a station license.

■ 5. Section 97.113 is amended by revising paragraph (a)(3)(i) to read as follows:

**§ 97.113 Prohibited transmissions.**

(a) \* \* \*

(3) \* \* \*

(i) A station licensee or station control operator may participate on behalf of an employer in an emergency preparedness or disaster readiness test or drill, limited to the duration and scope of such test or drill, and operational testing immediately prior to such test or drill. Tests or drills that are not government-sponsored are limited to a total time of one hour per week; except that no more than twice in any calendar year, they may be conducted for a period not to exceed 72 hours.

\* \* \* \* \*

■ 6. Section 97.307 is amended by revising paragraphs (f)(8) and (f)(10) to read as follows:

**§ 97.307 Emission standards.**

\* \* \* \* \*

(f) \* \* \*

(8) A RTTY or data emission having designators with A, B, C, D, E, F, G, H, J or R as the first symbol; 1, 2, 7, 9 or X as the second symbol; and D or W as the third symbol is also authorized.

\* \* \* \* \*

(10) A station having a control operator holding a Novice Class operator license or a Technician Class operator license may only transmit a CW emission using the international Morse code or phone emissions J3E and R3E.

\* \* \* \* \*

■ 7. Section 97.505 is revised to read as follows:

**§ 97.505 Element credit.**

(a) The administering VEs must give credit as specified below to an examinee holding any of the following license grants:

Operator class	Unexpired (or within the renewal grace period)	Expired and beyond the renewal grace period
(1) Amateur Extra .....	Not applicable .....	Elements 3 and 4.
(2) Advanced; General; or Technician granted before March 21, 1987.	Elements 2 and 3 .....	Element 3.
(3) Technician Plus; or Technician granted on or after March 21, 1987.	Element 2 .....	No credit.

(b) The administering VEs must give credit to an examinee holding a CSCE for each element the CSCE indicates the examinee passed within the previous 365 days.

■ 8. Section 97.507 is amended by revising paragraphs (a) and (c) and removing paragraph (d) to read as follows:

**§ 97.507 Preparing an examination.**

(a) Each written question set administered to an examinee must be prepared by a VE holding an Amateur Extra Class operator license. A written question set may also be prepared for the following elements by a VE holding an operator license of the class indicated:

\* \* \* \* \*

(c) Each written question set administered to an examinee for an amateur operator license must be prepared, or obtained from a supplier, by the administering VEs according to instructions from the coordinating VEC.

■ 9. Section 97.509 is amended by revising paragraphs (c), (f) and (h) and removing and reserving paragraph (g), to read as follows:

**§ 97.509 Administering VE requirements.**

\* \* \* \* \*

(c) Each administering VE must observe the examinee throughout the entire examination. The administering VEs are responsible for the proper conduct and necessary supervision of each examination. The administering VEs must immediately terminate the examination upon failure of the examinee to comply with their instructions.

\* \* \* \* \*

(f) No examination that has been compromised shall be administered to any examinee. The same question set may not be re-administered to the same examinee.

(g) [Reserved]

(h) Upon completion of each examination element, the administering

VEs must immediately grade the examinee's answers. For examinations administered remotely, the administering VEs must grade the examinee's answers at the earliest practical opportunity. The administering VEs are responsible for determining the correctness of the examinee's answers.

\* \* \* \* \*

■ 10. Section 97.513 is amended by revising paragraph (b) to read as follows:

**§ 97.513 VE session manager requirements.**

\* \* \* \* \*

(b) The VE session manager may carry on liaison functions between the VE team and the coordinating VEC.

\* \* \* \* \*

■ 11. Section 97.519 is amended by revising paragraph (b)(2) to read as follows:

**§ 97.519 Coordinating examination sessions.**

\* \* \* \* \*

(b) \* \* \*

(2) Resolve all discrepancies and verify that the VEs' certifications are properly completed; and

\* \* \* \* \*

[FR Doc. 2014-14414 Filed 6-19-14; 8:45 am]

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 622**

[Docket No. 131231999-4319-01]

RIN 0648-XD331

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2014 Commercial Accountability Measure and Closure for Blueline Tilefish in the South Atlantic Region**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary Rule; Closure.

**SUMMARY:** NMFS implements accountability measures (AMs) for commercial blueline tilefish in the exclusive economic zone (EEZ) of the South Atlantic. Commercial landings for blueline tilefish, as estimated by the Science and Research Director, are projected to reach the commercial annual catch limit (ACL) on June 23, 2014. Therefore, NMFS is closing the commercial sector for blueline tilefish in the South Atlantic EEZ on June 23, 2014, and it will remain closed until the start of the next fishing season, January 1, 2015. This closure is necessary to protect the blueline tilefish resource.

**DATES:** This rule is effective 12:01 a.m., local time, June 23, 2014, until 12:01 a.m., local time, January 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Catherine Hayslip, telephone: 727-824-5305, email: [Catherine.Hayslip@noaa.gov](mailto:Catherine.Hayslip@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The snapper-grouper fishery of the South Atlantic includes blueline tilefish and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council and is implemented under the authority of the Magnuson-Stevens Fishery

Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Given new stock assessment results that indicated the blueline tilefish stock is overfished and undergoing overfishing in the South Atlantic, NMFS published an emergency rule (79 FR 21636, April 17, 2014) to remove blueline tilefish from the deep-water complex and establish separate commercial and recreational ACLs and AMs for blueline tilefish in the EEZ of the South Atlantic. That emergency rule implemented a commercial ACL for blueline tilefish in the South Atlantic of 112,207 lb (50,896 kg), round weight and established in-season AMs for blueline tilefish to prevent the catch limit from being exceeded. The emergency rule (79 FR 21636, April 17, 2014) is effective April 17, 2014, through October 14, 2014, unless superseded by subsequent rulemaking. NMFS may extend the rule's effectiveness for an additional 186 days pursuant to the Magnuson-Stevens Act.

Under 50 CFR 622.193(aa)(1), NMFS is required to close the commercial sector for blueline tilefish when the commercial ACL is reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has determined that the commercial ACL for South Atlantic blueline tilefish will have been reached by June 23, 2014. Accordingly, the commercial sector for South Atlantic blueline tilefish is closed effective 12:01 a.m., local time, June 23, 2014, until 12:01 a.m., local time, January 1, 2015.

The operator of a vessel with a valid commercial vessel permit for South Atlantic snapper-grouper having blueline tilefish onboard must have landed and bartered, traded, or sold such blueline tilefish prior to 12:01 a.m., local time, June 23, 2014. During the closure, all sale or purchase of blueline tilefish is prohibited and harvest or possession of blueline tilefish in or from the South Atlantic EEZ is limited to the bag and possession limits specified in 50 CFR 622.187(b)(2) and 622.187(c)(1), respectively. These bag and possession limits apply in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, *i.e.*, in state or Federal waters. The prohibition on sale or purchase does not apply to the sale or purchase of blueline tilefish that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, June

23, 2014, and were held in cold storage by a dealer or processor.

**Classification**

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of blueline tilefish and the South Atlantic snapper-grouper fishery and is consistent with the Magnuson-Stevens Act, the FMP, and other applicable laws.

This action is taken under 50 CFR 622.193(aa)(1) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best available scientific information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA), finds that the need to immediately implement this action to close the commercial sector for blueline tilefish constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), as such procedures would be unnecessary and contrary to the public interest. Such procedures would be unnecessary because the rule itself has been subject to notice and comment, and all that remains is to notify the public of the closure.

Allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action to protect blueline tilefish since the capacity of the fishing fleet allows for rapid harvest of the commercial ACL. Prior notice and opportunity for public comment would require time and would potentially result in a harvest well in excess of the established commercial ACL.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: June 17, 2014.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2014-14461 Filed 6-17-14; 4:15 pm]

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