

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****46 CFR Parts 8 and 197**

[Docket No. USCG-1998-3786]

RIN 1625-AA21

**Commercial Diving Operations—Reopening of Comment Period****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** The Coast Guard is reopening for 60 days the comment period for the notice of proposed rulemaking entitled “Commercial Diving Operations,” published on February 19, 2015. Reopening the comment period will allow time for the public to review and submit comments on changes to the applicability of this proposed rule, and on the draft regulatory analysis documentation that was not available in the docket during the original comment period. This notice of proposed rulemaking also provides corrected contact information for those persons interested in the proposed regulatory incorporation of certain material by reference, and the reopened comment period facilitates public comment on the proposed incorporation. Finally, although we are making no changes to the collection of information proposed in the February notice of proposed rulemaking, during the reopened comment period the public may continue to submit additional comments on that proposed collection. Specific instructions for commenting on the proposed collection are printed in the **ADDRESSES** section that follows.

**DATES:** The comment period for the notice of proposed rulemaking published on February 19, 2015 (80 FR 9152), is reopened. Comments and related material must be submitted to the docket by October 23, 2015. Comments sent to the Office of Management and Budget (OMB) on collection of information must reach OMB on or before October 23, 2015.

**ADDRESSES:** Submit comments using one of the listed methods, and see **SUPPLEMENTARY INFORMATION** for more information on public comments.

- *Online*—<http://www.regulations.gov> following Web site instructions.

- *Fax*—202-493-2251.

- *Mail*—Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey

Avenue SE., Washington, DC 20590-0001.

- *Hand deliver*—mail address, 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays (telephone 202-366-9329).

*Collection of information.* You must submit comments on the collection of information discussed in the notice of proposed rulemaking at 80 FR 9173 both to the Coast Guard’s docket and to the Office of Information and Regulatory Affairs (OIRA) in the White House Office of Management and Budget. OIRA submissions can be made using one of the listed methods.

- *Email* (preferred)—[oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov) (include the docket number and “Attention: Desk Officer for Coast Guard, DHS” in the subject line of the email).

- *Fax*—202-395-6566.

- *Mail*—Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

*Viewing material proposed for incorporation by reference.* To make arrangements to view this material, please call or email Mr. Ken Smith (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice of proposed rulemaking, call or email Mr. Ken Smith, Project Manager, U.S. Coast Guard, Headquarters, Vessel and Facility Operating Standards Division, Commandant (CG-OES-2); telephone 202-372-1413, email [Ken.A.Smith@uscg.mil](mailto:Ken.A.Smith@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:****A. Public Participation and Comments**

We encourage you to submit comments (or related material) on this notice of proposed rulemaking (NPRM). We will consider all submissions and may adjust our final action based on your comments. Comments should be marked with docket number USCG-1998-3786, and should provide a reason for each suggestion or recommendation. You may provide personal contact information so that we can contact you if we have questions regarding your comments, but please note that all comments will be posted to the online docket without change and any personal information you include will be searchable online (see the **Federal Register** Privacy Act notice regarding our public dockets, 73 FR 3316, Jan. 17, 2008).

Mailed or hand-delivered comments should be in an unbound 8½ × 11 inch format suitable for reproduction. The Docket Management Facility will acknowledge receipt of mailed comments if you enclose a stamped, self-addressed postcard or envelope with your submission.

Documents mentioned in this NPRM and all public comments are available in our online docket at <http://www.regulations.gov> and can be viewed by following the instructions on that Web site. You can also view the docket online at the Docket Management Facility (see the address under **ADDRESSES**) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**B. Regulatory History and Information**

On February 19, 2015, we published an NPRM entitled “Commercial Diving Operations” (80 FR 9152) that proposed amendments to our regulations for commercial diving conducted from deepwater ports or deepwater port safety zones, or in connection with Outer Continental Shelf (OCS) activities, or from vessels that are required to have a Coast Guard certificate of inspection. The NPRM would revise and update current regulations to improve safety and to reflect current industry best practices. The NPRM would also allow the Coast Guard to approve independent third-party organizations to assist in ensuring compliance with commercial diving regulations. All comments on the NPRM, including comments on the proposed collection of information, were due by May 20, 2015. In the course of reviewing comments on the NPRM, we became aware of several errors on our part.

First, on page 9175 of the NPRM, our proposed regulatory text for 46 CFR 197.200 contained two unintended changes in the applicability of subpart B. We do not intend, despite the proposed language for § 197.200(a)(3), to extend applicability to commercial diving operations involving any vessel operating on the navigable waters of the United States. Nor do we intend, despite the proposed language for § 197.200(a)(5), to remove from applicability those U.S. vessels engaged in an OCS activity as defined in 33 CFR part 140, or connected to a deepwater port as defined in 33 CFR part 150. In a final rule, in § 197.200, we would remove paragraph (a)(3), remove the words “foreign flagged” from paragraph (a)(5), and renumber paragraphs in accordance with this change. As we stated in Table 2 on page 9156 of the NPRM, our intentions for § 197.200 are only to add paragraph (d) concerning

foreign vessels, and to improve the clarity of our existing provisions, without making any other changes to the substance of the applicability provisions of subpart B.

Second, we provided incorrect telephone and email contact information for those wishing to view material proposed for incorporation by reference on pages 9158 and 9159 of the NPRM. To make arrangements to view that material, please contact Mr. Ken Smith (*see* **FOR FURTHER INFORMATION CONTACT**).

Third, throughout the NPRM comment period that ended May 20, 2015, the Preliminary Regulatory Analysis and Interim Regulatory Flexibility Analysis document for the NPRM was unavailable in the rulemaking docket. We corrected that omission in June 2015, and that document is currently available at <http://www.regulations.gov> as docket number USCG-1998-3786-0195.

This notice is issued under authority of 5 U.S.C. 552(a).

Dated: August 18, 2015.

**J.G. Lantz,**

*Director of Commercial Regulations and Standards, U.S. Coast Guard.*

[FR Doc. 2015-20825 Filed 8-21-15; 8:45 am]

**BILLING CODE 9110-04-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[WT Docket No. 15-180; DA 15-865]

#### Comment Sought on Scoping Document Under Section 106 of the National Historic Preservation Act

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission's Wireless Telecommunications Bureau (Bureau) releases a Scoping Document and seeks public comment on a proposed Program Alternative to improve and facilitate the review process for deployments of small wireless communications facilities, including Distributed Antenna Systems (DAS) and small cell facilities, under section 106 of the National Historic Preservation Act.

**DATES:** Comments are due September 28, 2015.

**ADDRESSES:** You may submit comments, identified by DA No. 15-865; WT Docket No. 15-180, by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

- **Paper Filers:** Parties who choose to file by paper should file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers should submit two additional copies for each additional docket or rulemaking number.

- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St. SW., Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:**

Stephen DeSordo, Wireless Telecommunications Bureau, 202-418-1986, email [Stephen.Delsordo@fcc.gov](mailto:Stephen.Delsordo@fcc.gov); Paul D'Ari, Wireless Telecommunications Bureau, (202) 418-1550, email [Paul.DAri@fcc.gov](mailto:Paul.DAri@fcc.gov); Mania Baghdadi, Wireless Telecommunications Bureau, (202) 418-2133, email [Mania.Baghdadi@fcc.gov](mailto:Mania.Baghdadi@fcc.gov); or Brenda Boykin, Wireless Telecommunications Bureau, (202) 418-2062, email [Brenda.Boykin@fcc.gov](mailto:Brenda.Boykin@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Bureau's Public Notice, DA No. 15-865; WT Docket No 15-180, released July 28, 2015. The full text of this document is available for inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY-A257, Washington, DC 20554. Also, it may be purchased from the Commission's duplicating contractor at Portals II, 445 12th Street SW., Room CY-B402, Washington, DC 20554; the contractor's Web site, <http://www.bcpweb.com>;

or by calling (800) 378-3160, facsimile (202) 488-5563, or email [FCC@BCPIWEB.com](mailto:FCC@BCPIWEB.com). Copies of the Public Notice also may be obtained via ECFS by entering the docket number WT Docket 15-180; DA No. 15-865. Additionally, the complete item is available on the Federal Communications Commission's Web site at <http://www.fcc.gov>.

By this Public Notice, the Bureau releases a scoping document (the section 106 Scoping Document) and invites input on a new program alternative to improve and facilitate the review process for deployments of small wireless communications facilities, including Distributed Antenna Systems (DAS) and small cell facilities, under section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. 306108. In particular, the attached section 106 Scoping Document describes options and seeks public input on potentially amending the *Nationwide Programmatic Agreement for the Collocation of Wireless Antennas* (Collocation Agreement), 47 CFR part 1, App. B, to address the historic preservation review of deployments of small wireless communications facilities under section 106. Copies of the section 106 Scoping Document are also being sent to State Historic Preservation Officers (SHPOs), Tribal and Native Hawaiian cultural preservation officials (including Tribal Historic Preservation Officers (THPOs)), and other stakeholders. By this Public Notice, the Bureau also initiates and invites government-to-government consultation with Federally-recognized Tribal Nations.

As described more fully in the section 106 Scoping Document, new and additional infrastructure deployments are necessary to meet the increasing demand for advanced wireless services and greater wireless bandwidth. Many wireless providers are deploying new infrastructure technologies, particularly DAS and small cells, in order to increase coverage and capacity in indoor and outdoor environments. Because DAS networks and small cell facilities use radio spectrum licensed by the Commission, the installation of these facilities on utility poles, buildings, and other existing structures is acknowledged as a Commission undertaking under section 106 of the NHPA. The Commission's rules require applicants to follow the regulations of the Advisory Council on Historic Preservation (ACHP), as modified by two Nationwide Programmatic Agreements (NPAs) executed by the Commission with the ACHP and the National Conference of State Historic