

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 7, 2017.

**Richard P. Keigwin, Jr.,**

*Director, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

**PART 180—[AMENDED]**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Add § 180.107 to subpart C to read as follows:

**§ 180.107 Triflumezopyrim; tolerance for residues.**

(a) *General.* Tolerances are established for residues of the insecticide triflumezopyrim, including its metabolites and degradates, in or on the following food commodities in the table below. Compliance with the tolerance levels specified below is to be determined by measuring only triflumezopyrim (2,4-dioxo-1-(5-pyrimidinylmethyl)-3-[3-(trifluoromethyl)phenyl]-2H-pyrido[1,2-a] pyrimidinium inner salt) in or on the commodity.

Commodity	Parts per million
Rice, grain * .....	0.40
Rice, hulls * .....	1.0

\* There are no U.S. registrations for the use of triflumezopyrim on these commodities.

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 90**

[PS Docket No. 16-269, FCC 17-75]

**Procedures for Commission Review of State Opt-Out Request From the FirstNet Radio Access Network**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of six months, the information collection associated with the Commission's Procedures for Commission Review of State Opt-Out Request from the FirstNet Radio Access Network, Report and Order (Report and Order)'s rules and procedures for administering the state opt-out process as provided under the Middle Class Tax Relief and Job Creation Act of 2012, as well delineating the specific standards by which the Commission will evaluate state opt-out applications. This document is consistent with the Report and Order, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules.

**DATES:** The amendments to 47 CFR 90.532(b) and (c) published at 82 FR 46690, October 6, 2017, are effective November 6, 2017.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele, FCC, at (202) 418-2991 or via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on October 6, 2017, OMB approved this information collection under the emergency processing of the Paperwork Reduction Act (PRA), 5 CFR 1320.13, for a period of six months, the information collection requirements relating to the State opt-out rules contained in the Commission's Report and Order, FCC 17-75, published at 82 FR 46690, October 6, 2017. The OMB Control Number is 3060-1245. The Commission publishes this document as an announcement of the effective date of the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1-A620, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060-1245, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

**Synopsis**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on October 6, 2017, for the information collection requirements contained in the modifications to the Commission's rules in 47 CFR 90.532. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-1245.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060-1245.

*OMB Approval Date:* October 6, 2017.

*OMB Expiration Date:* April 30, 2018.

*Title:* Procedures for Commission Review of State Opt-Out Request from the FirstNet Radio Access Network.

*Form Number:* N/A.

*Respondents:* State, local or tribal governments.

*Number of Respondents and Responses:* 55 respondents; 110 responses.

*Estimated Time per Response:* 0.25 hours per initial notification.

*Frequency of Response:* One-time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for requiring licensees to submit this information enter into the written agreements is contained in the Middle Class Tax Relief and Job Creation Act of 2012, Public Law 112 96, 126 Stat. 156 §§ 6001-6303, 6413 (codified at 47 U.S.C. 1401-1443, 1457).

*Total Annual Burden:* 26,414 hours.

*Total Annual Cost:* No cost.

*Nature and Extent of Confidentiality:* Alternative state plans are very likely to contain proprietary information as well as information whose disclosure could compromise network security. Parties may therefore seek confidential treatment of any filing under our Part 0 rules, including the use of a protective order process to allow other those granted party status to the restricted proceeding access to the information on a confidential basis.

*Privacy Act:* No impact(s).

*Needs and Uses:* The purpose of requiring this collection is to comply

with Middle Class Tax Relief and Job Creation Act of 2012. The Middle Class Tax Relief and Job Creation Act of 2012 provides that “the Governor shall choose whether to participate in the deployment of the nationwide, interoperable broadband network as proposed by [FirstNet,] or conduct its own deployment of a radio access network in such State.” If a Governor chooses not to participate in the NPSBN, section 6302(e)(3)(A) of the Act requires the Governor to “notify [FirstNet], the NTIA, and the Commission of such decision.” The Act also states that an opt-out state “shall submit” to the Commission an “alternative plan” for “the construction, maintenance, operation, and improvements” of the RAN within the state. Section 3(C)(ii) of the Act mandates that “upon submission of this plan, the Commission shall approve or disapprove of the plan.”

We require that either the Governor or the Governor’s duly authorized designee may provide notification of the Governor’s decision. The opt-out notification to the Commission must also include a certification that the state is providing simultaneous notice of its opt-out decision to both to NTIA and FirstNet. To facilitate the electronic filing of opt-out notifications, we will establish the email address *opt-out@fcc.gov* as the address for this purpose.

Each opt-out state will have 60 days from the completion of its Request For Proposal (240 days from the date of its opt-out notification to the Commission) to file an alternative state plan via the secure email address *opt-out@fcc.gov* or via certified mail to the Secretary’s office.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017–22339 Filed 10–13–17; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Part 174

[Docket No. PHMSA–2017–0102]

### Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notification of availability; request for comments.

**SUMMARY:** This document provides notice that PHMSA and the Federal Railroad Administration (FRA) are publishing a revised Regulatory Impact Analysis (RIA) updating the original RIA associated with the electronically controlled pneumatic (ECP) brake provision of PHMSA’s May 8, 2015, Final Rule titled “Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains” (Final Rule). The agencies are publishing the updated RIA in response to the mandate of the Fixing America’s Surface Transportation (FAST) Act. The updated RIA incorporates new testing and analysis the National Academy of Sciences (NAS) reviewed, recommendations from two U.S. General Accountability Office (GAO) audits, and updates to the costs and benefits of the provision of the Final Rule based on current economic conditions. PHMSA invites comments on all aspects of the updated RIA and the agency will respond to all relevant comments received.

**DATES:** Comments must be received by November 1, 2017. Comments received after that date will be considered to the extent practicable, provided the comments do not result in additional delay or expense.

**ADDRESSES:** You may submit comments identified by the docket number PHMSA–2017–0102 by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail or Hand Delivery:* U.S. DOT Docket Management System, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.
- *Instructions:* If you submit your comments by mail, submit two copies. To receive confirmation that PHMSA received your comments, include a self-addressed stamped postcard.

#### Privacy Act Statement

Under 5 U.S.C. 553(c), the Department of Transportation (DOT) solicits comments from the public to better inform its regulatory process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

#### FOR FURTHER INFORMATION CONTACT:

Mark Johnson, Senior Economist, Pipeline and Hazardous Materials Safety Administration, by telephone at 202–366–4495 or by email at [mark.johnson@dot.gov](mailto:mark.johnson@dot.gov); or, Mark Anderson, Industry Economist, Federal Railroad Administration, by telephone at 202–493–6078 or by email at [mark.anderson@dot.gov](mailto:mark.anderson@dot.gov).

**SUPPLEMENTARY INFORMATION:** On May 8, 2015, PHMSA, in coordination with FRA, published a Final Rule adopting requirements designed to reduce the consequences and, in some instances, reduce the probability of accidents involving trains transporting large quantities of flammable liquids. See 80 FR 26643. The Final Rule defined certain trains transporting large volumes of flammable liquids as high-hazard flammable trains (HHFT)<sup>1</sup> and others as high-hazard flammable unit trains (HHFUT).<sup>2</sup> The Final Rule required HHFUTs transporting at least one flammable liquid classified as a packing group I material be operated with an ECP braking system by January 1, 2021, and all other HHFUTs be operated with an ECP braking system by May 1, 2023. See 49 CFR 174.310(a)(3).

In December 2015, Congress passed the FAST Act. Pub. L. 114–94, 129 Stat. 1686 (Dec. 4, 2015) (codified at 49 U.S.C. 20168). Section 7311 of the FAST Act (section 7311) established a process, including independent study and testing, for DOT to use in developing an updated RIA related to the Final Rule’s ECP brake provision. The Secretary is also required to solicit public comment on the revised RIA, and issue a final updated RIA. Finally, Section 7311 requires the Secretary of Transportation to review the final updated RIA and determine if the final rule’s ECP brake requirements are justified, based on whether the final updated RIA demonstrates that the benefits exceed the costs. The FAST Act requires this entire process to be completed no later than December 4, 2017.

Section 7311 required DOT to enter into an agreement with NAS to test ECP brakes and reevaluate the economic analysis supporting the ECP brake requirement of the Final Rule.<sup>3</sup> Section

<sup>1</sup> The Final Rule defined an HHFT as “a single train transporting 20 or more loaded tank cars of a Class 3 flammable liquid in a continuous block or a single train carrying 35 or more loaded tank cars of a Class 3 flammable liquid throughout the train consist.” See 49 CFR 171.8.

<sup>2</sup> The Final Rule defined an HHFUT as “a single train transporting 70 or more loaded tank cars containing Class 3 flammable liquid.”

<sup>3</sup> In a March 17, 2016, letter, NAS declined to perform the testing, citing preliminary cost estimates to perform the testing in excess of \$100 million and expressing concern about meeting the