

## H. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

20. None.

### Ordering Clauses

21. Accordingly, *it is ordered* that, pursuant to sections 1, 4(i), 303, 316, 332 and 337 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 303, 316, 332 and 337, the NPRM *is hereby adopted*.

22. *It is further ordered* that pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments on the NPRM on or before November 14, 2013, and reply comments on or before November 29, 2013.

### List of Subjects in 47 CFR Part 90

Communications equipment, Radio.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 90 as follows:

## PART 90—PRIVATE LAND MOBILE RADIO SERVICES

■ 1. The authority citation for part 90 continues to read as follows:

**Authority:** Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

■ 2. Section 90.203 is amended by revising paragraphs (i) and (j)(1) to read as follows:

### § 90.203 Certification Required.

\* \* \* \* \*

(i) Equipment certificated after DATE and marketed for public safety operation in the 806–809/851–854 MHz bands must have the capability to be programmed for analog FM operation on the mutual aid channels as designated in § 90.617(a)(1) of the rules.

(j) \* \* \*

(1) Applications for certification received on or after DATE, for mobile and portable transmitters designed to transmit voice on public safety frequencies in the 150–174 MHz band will be granted only if the mobile/portable equipment is capable of operating in the analog FM mode on the nationwide public safety interoperability calling channel in the 150–174 MHz band. (See § 90.20(c) and (d) of this part.) Applications for certification received on or after DATE, for mobile and portable transmitters

designed to transmit voice on public safety frequencies in the 450–470 MHz band will be granted only if the mobile/portable equipment is capable of operating in the analog FM mode on the nationwide public safety interoperability calling channel in the 450–470 MHz band. (See § 90.20(c) and (d) of this part.)

\* \* \* \* \*

■ 3. Section 90.210 is amended in the table by adding footnote 6 to the entry for “806–809/851–854” to read as follows:

### § 90.210 Emission Masks.

#### APPLICABLE EMISSION MASKS

Frequency band (MHz)	Mask for equipment with audio low pass filter	Mask for equipment without audio low pass filter
* * * * *		
806–809/851–854 <sup>6</sup>	B	H
* * * * *		

<sup>6</sup> Transmitters utilizing analog emissions that are equipped with an audio low-pass filter must meet Emission Mask B. All transmitters utilizing digital emissions and those transmitters using analog emissions without an audio low-pass filter must meet emission mask H.

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Part 192

[Docket No. PHMSA–2013–0161]

### Pipeline Safety: Class Location Requirements

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

**ACTION:** Notice of inquiry, extension of comment period.

**SUMMARY:** On August 1, 2013, PHMSA published a notice of inquiry in the **Federal Register** on “Class Location Requirements,” seeking comments on whether integrity management program (IMP) requirements, or elements of IMP, should be expanded beyond high consequence areas (HCA) and, with respect to gas transmission pipeline facilities, whether applying IMP requirements to additional areas would mitigate the need for class location requirements. PHMSA has received two requests to extend the comment period

to allow stakeholders more time to evaluate the notice of inquiry. PHMSA concurs with this request and is extending the comment period from September 30, 2013, to November 1, 2013.

**DATES:** The comment period for the proposed rule published on August 1, 2013 (78 FR 46560), is extended. The closing date for filing comments is extended from September 30, 2013, to November 1, 2013.

**ADDRESSES:** Comments should reference Docket No. PHMSA–2013–0161. Comments may be submitted in the following ways:

- *E-Gov Web site:* <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590.

*Hand Delivery:* DOT Docket Management System, Room W12–140, on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* Identify the docket number at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA has received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <http://www.regulations.gov>.

**Note:** Comments will be posted without changes or edits to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act Statement heading below for additional information.

*Privacy Act statement:* Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000 (65 FR 19477).

**FOR FURTHER INFORMATION CONTACT:** Mike Israni at 202–366–4571 or by email at [mike.israni@dot.gov](mailto:mike.israni@dot.gov).

**SUPPLEMENTARY INFORMATION:** On August 1, 2013, PHMSA issued a notice of inquiry (78 FR 46560), seeking public comment on whether applying the IMP requirements, or elements of IMP, to areas beyond current HCAs would mitigate the need for class location

requirements for gas transmission pipelines. It should be noted that the notice dated August 1, 2013, was incorrectly identified as a "Notice of proposed rulemaking" instead of the correct identifier, "Notice of inquiry."

The notice of inquiry was published in response to Section 5 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, which requires the Secretary of Transportation to evaluate and issue a report on whether IMP requirements should be expanded beyond HCAs and whether such expansion would mitigate the need for class location requirements.

The American Petroleum Institute (API) and American Gas Association (AGA), on September 23, 2013, and September 24, 2013, respectively, requested that PHMSA extend the notice comment period deadline from September 30, 2013, to November 1, 2013, to give API and AGA members enough time to share the notice with their membership and to collect their members' responses and comments for docket submission.

PHMSA concurs with API and AGA's request and is extending the comment period from September 30, 2013, to November 1, 2013. This extension will provide sufficient additional time for commenters to submit their comments.

Issued in Washington, DC, on September 25, 2013.

**Alan K. Mayberry,**

*Deputy Associate Administrator for Policy and Programs.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR 226

RIN 0648-BD27

#### Endangered and Threatened Species: Proposed Rule To Designate Critical Habitat for the Northwest Atlantic Ocean Loggerhead Sea Turtle Distinct Population Segment (DPS) and Proposed Determination Regarding Critical Habitat for the North Pacific Ocean Loggerhead DPS

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

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** NMFS is reopening the comment period for its Proposed Rule to

Designate Critical Habitat for the Northwest Atlantic Ocean Loggerhead Sea Turtle Distinct Population Segment (DPS) and Proposed Determination Regarding Critical Habitat for the North Pacific Ocean Loggerhead DPS. The comment period is being reopened to provide additional opportunity for public comment.

**DATES:** The comment period for the proposed rule published on July 18, 2013 (78 FR 43005) is reopened. Comments and information on this document, identified by NOAA-NMFS-2013-0079, must be received by November 29, 2013. Requests for public hearings must be made in writing (see **ADDRESSES**) by November 14, 2013.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2013-0079, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0079](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0079), click the "Comment Now!" icon, complete the required fields, and enter or attach our comments.
- **Mail:** Submit written comments to Susan Pultz, NMFS, Office of Protected Resources, 1315 East West Highway, Silver Spring, MD 20910.
- **Fax:** 301-713-0376; Attn: Susan Pultz.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received will be part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

The proposed rule, list of references and supporting documents, including the biological report, the draft Economic Analysis and the Initial Regulatory Flexibility Act (IRFA) analysis which is appended to the draft Economic Analysis, are also available electronically at <http://www.nmfs.noaa.gov/pr/species/turtles/loggerhead.htm>.

**FOR FURTHER INFORMATION CONTACT:** Susan Pultz, NMFS, Office of Protected

Resources 301-427-8472 or [susan.pultz@noaa.gov](mailto:susan.pultz@noaa.gov); or Angela Somma, NMFS, Office of Protected Resources 301-427-8474 or [angela.somma@noaa.gov](mailto:angela.somma@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Reopening of Comment Period

The comment period will be reopened through November 29, 2013.

##### Background

On July 18, 2013, we (NMFS) published in the **Federal Register** a proposed rule to designate critical habitat for the Northwest Atlantic Ocean loggerhead sea turtle Distinct Population Segment (DPS) (*Caretta caretta*) within the Atlantic Ocean and the Gulf of Mexico and a proposed determination that no marine areas meet the definition of critical habitat within the jurisdiction of the United States for the North Pacific Ocean DPS. The comment period for this action ended Monday, September 16, 2013. The comment period is being reopened to provide additional opportunity for public comment.

Specific areas proposed for designation include 36 occupied marine areas within the range of the Northwest Atlantic Ocean DPS. These areas contain one or a combination of nearshore reproductive habitat, winter area, breeding areas, and migratory corridors. We are also asking for comment on whether to include as critical habitat in the final rule some areas that contain foraging habitat and two large areas that contain *Sargassum* habitat. The U.S. Fish and Wildlife Service addressed terrestrial areas (nesting beaches) in a separate document (78 FR 18000; March 25, 2013).

We are soliciting comments from the public on all aspects of the proposal, including information on the economic, national security, and other relevant impacts. We will consider additional information received prior to making a final designation.

##### Public Hearings

We held hearings regarding this proposed rule in Wilmington, NC on September 9, 2013, and in Morehead City, NC on September 10, 2013. Due to budget constraints, we are unsure whether we can hold additional public hearings. However, we are considering requests for additional hearings. Requests for public hearings must be made in writing (see **ADDRESSES**) by November 14, 2013. If we are able to hold an additional public hearing, a notice detailing the specific hearing location and time will be published in