

this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132. Our analysis is explained below.

As noted earlier in the preamble, this rule implements section 711 of Public Law 111–281 for PWS. With respect to federalism, section 711(c) of Public Law 111–281 provides that nothing in the Act or any other provision of Federal law related to the regulation of maritime transportation of oil should be construed or interpreted as preempting the authority of the State, or a political subdivision thereof, from requiring escort vessels to accompany tankers transporting oil in bulk in PWS. This rule does not have any federalism implications as it has no effect on the laws or regulations of the State of Alaska. The rule has no preemptive effect because the rule implements the Congressional mandate. Furthermore, this statute preserves the authority of the State of Alaska to promulgate additional requirements in PWS beyond that required by this rule. Therefore, this rule is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132.

#### F. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### G. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### H. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### I. Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically

significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### J. Indian Tribal Governments

This rule does not have tribal implications under E.O. 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### K. Energy Effects

We have analyzed this rule under E.O. 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under E.O. 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

#### L. Technical Standards

The National Technology Transfer and Advancement Act (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### M. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded under section 6(b) of the “Appendix to National

Environmental Policy Act: Coast Guard Procedures for Categorical Exclusions, Notice of Final Agency Policy,” (67 FR 48244, July 23, 2002). This rule involves Congressionally-mandated regulations designed to protect the environment, specifically, regulations implementing the requirements of the Act. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 168

Cargo vessels, Navigation (water), Oil pollution, Water pollution control.

For the reasons discussed in the preamble, the interim rule amending 33 CFR part 168 that was published at 78 FR 50335 on August 19, 2013, is adopted as a final rule without change.

Dated: June 9, 2014.

**J. G. Lantz,**

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

[FR Doc. 2014–13809 Filed 6–12–14; 8:45 am]

**BILLING CODE 9110–04–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 761

[EPA–HQ–RCRA–2013–0396; FRL–9912–25–OSWER]

RIN 2050–AG79

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

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

**ACTION:** Withdrawal of Direct final rule and Notice of Informal Hearing.

**SUMMARY:** On April 2, 2014, the U.S. Environmental Protection Agency (EPA or the agency) took direct final action on a petition submitted by the U.S. Defense Logistics Agency (DLA) to allow DLA to import foreign-manufactured polychlorinated biphenyls (PCBs) from Japan effective on July 1, 2014, unless EPA received adverse written comments or a request to hold an informal hearing. Because EPA received an adverse comment, as well as a request for an informal hearing, we are withdrawing the direct final rule titled, “*Polychlorinated Biphenyls (PCBs): Manufacturing (Import) Exemption for the Defense Logistics Agency (DLA)*.” This notice also announces the time and location of that hearing.

**DATES:** Effective June 13, 2014, EPA withdraws the direct final rule

published at 79 FR 18471 on April 2, 2014. The informal hearing will take place on Tuesday, July 8, 2014, from 9 a.m. to 1 p.m. All those wishing to provide oral comments at the hearing must send a written request to EPA. Requests must be received on or before July 1, 2014.

**ADDRESSES:** The hearing will be held at the EPA building at 2777 South Crystal Drive, Arlington, Virginia 22202. The hearing will be on the 4th floor in conference room North 4850/70.

**Requests to Participate:** A request to provide oral comments at the informal hearing must be received by the Hearing Clerk on or before July 1, 2014 by one of the following methods:

- **Email:** Requests may be sent by electronic mail to [noggle.william@epa.gov](mailto:noggle.william@epa.gov).
- **Fax:** Requests may be faxed to (703) 308-0514, **Attention:** William Noggle; Docket ID No. EPA-HQ-RCRA-2013-0396.
- **Mail:** Requests may be sent to William Noggle, U.S. EPA, 1200 Pennsylvania Avenue NW., Washington, DC 20460, Mail Code 5304P, **Attention:** Docket ID No. EPA-HQ-RCRA-2013-0396. Note that mail sent to EPA is subject to significant delays due to security screening, so please plan for additional delivery time.

- **Hand Delivery:** Requests may be hand delivered to William Noggle, U.S. EPA, Office of Resource Conservation and Recovery, Two Potomac Yard, 2733 South Crystal Drive, 5th Floor, N5612, Arlington, VA 22202. Such deliveries are only accepted during the business hours from 9 a.m. to 5 p.m., Monday through Friday, excluding legal holidays. Please call William Noggle at 703-347-8769 prior to delivery.

**Instructions:** Please see <http://www.epa.gov/epawaste/hazard/tsd/pcbs/dlapcb.htm> for the type of information that must be included in the request to provide oral comments at the informal hearing, who may participate, as well as the procedures that EPA will follow in conducting the informal hearing. Please note that oral comments will be heard from those persons who have requested to participate in the hearing. Members of the public can attend without prior notification to the Hearing Clerk, but they will not be part of the hearing schedule to give presentations and/o oral comments. However, attendees not on the hearing schedule may be permitted to speak if time allows. Also note that the advance participation requests will assist in planning for the hearing. Additionally, the time for individual presentations may be

limited, depending on the number of requests received.

Individuals requiring special accommodation at this hearing, including wheelchair access or hearing impaired accommodations, should contact the Hearing Clerk by email, [noggle.william@epa.gov](mailto:noggle.william@epa.gov), or telephone, (703) 347-8769, at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

**Docket:** All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the RCRA Docket, EPA/DC, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the RCRA Docket is (202) 566-0270.

**FOR FURTHER INFORMATION CONTACT:**

William Noggle, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, Mail Code 5304P; at (703) 347-8769 or [noggle.william@epa.gov](mailto:noggle.william@epa.gov).

**SUPPLEMENTARY INFORMATION:** On April 23, 2013, EPA received a petition from the U.S. Defense Logistics Agency (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. In response to that petition, on April 2, 2014, EPA issued a direct final rule (79 FR 18471) and parallel proposed rule (79 FR 18497), to grant the request and provided a 30-day public comment period. During the comment period, EPA received an adverse comment as well as a request to hold an informal hearing.

**Withdrawal of Direct Final Rule:** Because EPA received adverse comment, as well as a request to hold an informal hearing, we are withdrawing the direct final rule. We stated in the direct final rule that if we received adverse comment on the proposed rule by May 2, 2014, the direct final rule would not take effect and we would publish a timely withdrawal in the **Federal Register**. We subsequently received adverse comment on that direct

final rule, which will be considered as part of the parallel proposed rule.

**Notice of Informal Hearing:** EPA is granting a request from a member of the public to hold an informal hearing to receive oral comments on the proposed regulation. The procedures for rulemaking under section 6 of the Toxic Substances Control Act (TSCA) are found at 40 CFR part 750. Specific procedures for manufacturing (import) exemptions are identified in 40 CFR part 750, subpart B, and the procedures for participation in and the conduct of informal hearings are found at 40 CFR 750.18-750.20. Please see EPA's Web site at <http://www.epa.gov/epawaste/hazard/tsd/pcbs/dlapcb.htm> for the specific procedures for the informal hearing and the most current information on the hearing timeline.

Please note that all dates for the hearing process are subject to change. Individuals interested in this hearing and rulemaking should check the Web site for the most current information.

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

Environmental protection, Hazardous substances, Polychlorinated biphenyls.

Dated: June 6, 2014.

**Mathy Stanislaus,**

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

Accordingly, EPA withdraws the amendment to 40 CFR 761.80(j), published in the **Federal Register** on April 2, 2014 (79 FR 18471), as of June 13, 2014.

[FR Doc. 2014-13856 Filed 6-12-14; 8:45 am]

**BILLING CODE 6560-50-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2014-0002]

**Final Flood Elevation Determinations; Withdrawal**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) is withdrawing its final rule concerning the flood elevation determinations for Colfax County, Nebraska, and Incorporated Areas.

**DATE:** Effective June 13, 2014.

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering