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Approved: April 16, 2014.

A.B. Fischer,
Captain, JAGC, U.S. Navy, Deputy Assistant
Judge Advocate, General (Admiralty and
Maritime Law).

Dated: April 24, 2014.

N.A. Hagerty-Ford,
Commander, Office of the Judge Advocate
General, U.S. Navy, Federal Register Liaison
Officer.

[FR Doc. 2014-09939 Filed 5-1-14; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2014-0210]

Safety Zone; Sea World San Diego 2014 Summer Fireworks, Mission Bay; San Diego, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of
regulation.

SUMMARY: The Coast Guard will enforce the Sea World San Diego 2014 Firework safety zone on May 24 through May 26, May 31, June 1, June 7, June 8, June 13 through June 30, July 1 through July 31, August 1 through August 17, August 22 through August 24, August 29 through August 31, September 1 and September 6, 2014. These recurring annual summer firework display events occur on the navigable waters of Mission Bay in San Diego, California. This action is necessary to provide for the safety of the marine event crew, spectators, safety vessels, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative.

DATES: This rule is effective from 8:50 p.m. to 10 p.m. on May 24 through May 26, May 31, June 1, June 7 through June 8, June 13 through June 30, July 1 through July 31, August 1 through August 17, August 22 through August 24, August 29 through August 31, September 1 and September 6, 2014.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Petty Officer Giacomo Terrizzi, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278-7261, email Giacomo.Terrizzi@uscg.mil.

SUPPLEMENTARY INFORMATION:

The Coast Guard will enforce the safety zone in Mission Bay for the Sea World San Diego 2014 Summer Fireworks, listed in 33 CFR 165.1123, Table 1, Item 7 from 8:50 p.m. to 10:00 p.m.

Under the provisions of 33 CFR 165.1123, persons and vessels are prohibited during the fireworks display times from entering into, transiting through, or anchoring within the 600 foot regulated area safety zone around the fireworks barge, located in approximate position 32°46'03" N, 117°13'11" W, unless authorized by the Captain of the Port, or his designated representative. Persons or vessels desiring to enter into or pass through the safety zone may request permission from the Captain of the Port or a designated representative. The Coast Guard Captain of the Port or designated representative can be reached via VHF CH 16 or at (619) 278-7033. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or designated representative. Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter, or impede the transit of official fireworks support, event vessels or enforcement patrol vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 5 U.S.C. 552(a) and 33 CFR 165.1123. In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners, Broadcast Notice to Mariners, and local advertising by the event sponsor.

If the Coast Guard determines that the regulated area need not be enforced for the full duration stated on this notice, then a Broadcast Notice to Mariners or other communications coordinated with the event sponsor will grant general permission to enter the regulated area.

Dated: April 4, 2014.

S. M. Mahoney,
Captain, U.S. Coast Guard, Captain of the
Port San Diego.

[FR Doc. 2014-09852 Filed 5-1-14; 8:45 am]

BILLING CODE 9110-04-P

LIBRARY OF CONGRESS

Copyright Royalty Board

37 CFR Part 370

[Docket No. RM 2008-7]

Notice and Recordkeeping for Use of Sound Recordings Under Statutory License

AGENCY: Copyright Royalty Board,
Library of Congress.

ACTION: Final rule; Affirmation.

SUMMARY: The Copyright Royalty Judges affirm adoption of the final regulation for filing notice of use and the delivery of records of use of sound recordings under two statutory licenses of the Copyright Act. The purpose of this affirmation is to remove any doubt about the effectiveness of the final regulation in light of a ruling by the United States Court of Appeals for the District of Columbia Circuit regarding the constitutionality of the manner in which the Copyright Royalty Judges were appointed.

DATES: *Effective Date:* May 2, 2014.

FOR FURTHER INFORMATION CONTACT: Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or email at crb@loc.gov.

SUPPLEMENTARY INFORMATION: On October 6, 2006, the Copyright Royalty Judges (Judges) issued interim regulations published in the **Federal Register** for the delivery and format of reports of use of sound recordings for the statutory licenses set forth in sections 112 and 114 of the Copyright Act. 71 FR 59010. The goal of those interim regulations was to establish format and delivery requirements for reports of use so that royalty payments to copyright owners pursuant to the section 112 and 114 licenses could be made from April 1, 2004, forward based upon actual data on the sound recordings transmitted by digital audio services. During the period after the Judges issued the interim regulations, the Judges monitored the operation of these regulations as well as developments in recordkeeping requirements agreed upon by parties to various settlements relating to the use of the section 112 and 114 licenses.

On December 30, 2008, the Judges published a notice of proposed rulemaking (NPRM) setting forth proposed revisions to the interim regulations adopted in October 2006. 73 FR 79727. The most significant revision proposed by the Judges was to expand the reporting period to implement year-

round census reporting. Further, on April 8, 2009, the Judges published a notice of inquiry (NOI) to obtain additional information concerning the likely costs and benefits stemming from the adoption of the proposed census reporting provision as well as information on any alternatives to the proposal that might accomplish the same goals as the proposal in a less burdensome way, particularly with respect to small entities. 74 FR 15901.

On October 13, 2009, the Judges published a final rule amending the interim regulations and establishing requirements for census reporting for all but those broadcasters who pay no more than the minimum fee for their use of the license. 74 FR 52418. The Judges adopted the regulations substantially as proposed in the NPRM with minor modifications in response to comments received. The final regulations established requirements by which copyright owners may receive reasonable notice of the use of their sound recordings and under which records of use were to be kept and made available by entities of all sizes performing sound recordings. *See, e.g.*, 17 U.S.C. 114 (f)(4)(A). As with the interim regulations adopted in 2006, the final regulations adopted in 2009 represented baseline requirements. In other words, digital audio services remained free to negotiate other formats and technical standards for data maintenance and delivery and to use those in lieu of regulations adopted by the Judges, upon agreement with the Collective. The Judges indicated that they had no intention of codifying these negotiated variances in the future unless and until they come into such standardized use as to effectively supersede the existing regulations.

On October 28, 2009, College Broadcasters, Inc. (CBI), American Council on Education and Intercollegiate Broadcasting Systems, Inc. (collectively, Petitioners) made a motion with the Judges for clarification with respect to one issue raised by the final regulation. Petitioners noted that the final regulation exempted minimum-fee webcasters that are FCC-licensed broadcasters from the census reporting requirement, but did not appear to exempt minimum-fee educational stations that are not FCC-licensed broadcasters from the same requirement. Petitioners asked the Judges to “clarify” that the exemption extended to minimum fee unlicensed educational stations.

On November 12, 2009, before the Judges ruled on this motion, CBI filed a Petition for Review of the final regulation with the United States Court

of Appeals for the District of Columbia Circuit (D.C. Circuit) (Appeal No. 09–1276). This appeal was held in abeyance pending the outcome of an appeal of the Judges’ final determination in Docket No. 2009–1 CRB Webcasting III. The D.C. Circuit concluded that appeal on July 6, 2012, holding that the manner by which the Judges were appointed was unconstitutional, and dictating a statutory remedy. *Intercollegiate Broad. Sys. v. Copyright Royalty Bd.*, 684 F.3d 1332, 1340–41 (D.C. Cir. 2012), *cert. denied*, 133 S. Ct. 2735 (2013). The D.C. Circuit remanded the final determination to the Judges,¹ and also transferred CBI’s appeal to the United States District Court for the District of Columbia. *See Order in Appeal No. 09–1276* (D.C. Cir. October 28, 2013).

In light of the foregoing proceedings, the Judges recognize the need to clarify the effectiveness of the final regulation. Consequently, the Judges performed a *de novo* review of the comments underlying the final regulation and affirm the adoption of this regulation as published at 74 FR 52418 on October 11, 2009, in its entirety and without change (including the reasons set forth in the preamble thereto), thereby removing any doubt as to the effectiveness of the final regulation. Such affirmation also ensures the continuous effectiveness of the rules concerning notice and recordkeeping for users of copyrighted sound recordings.

On October 21, 2013, the Judges received a petition from SoundExchange seeking modifications to the notice and recordkeeping final regulation. The Judges will address the Petitioner’s motion for clarification, as well as SoundExchange’s petition, in a separate notice also published today in the **Federal Register**.

List of Subjects in 37 CFR Part 370

Copyright, Sound recordings.

Final Regulation

For the reasons set forth in the foregoing preamble, the Copyright Royalty Judges affirm adoption of the final rule revising 37 CFR part 370, which was published at 74 FR 52418 on October 13, 2009, without change.

¹ The Judges issued their Initial Determination on Remand in the *Webcasting III* proceeding, *see Determination After Remand of Rates and Terms for Royalty Years 2011–2015*, Docket No. 2009–1 CRB Webcasting III (Jan. 9, 2014).

Dated: February 20, 2014.

Suzanne M. Barnett,

Chief U.S. Copyright Royalty Judge.

James H. Billington,

Librarian of Congress.

[FR Doc. 2014–09799 Filed 5–1–14; 8:45 am]

BILLING CODE 1410–72–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2008–0122; FRL 9910–02–Region 10]

Approval and Promulgation of State Implementation Plans; Washington: Puget Sound Ozone Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking a direct final action to approve a maintenance plan for the Central Puget Sound area to maintain the 8-hour ozone National Ambient Air Quality Standard (NAAQS) through 2015. This plan was submitted by the Washington Department of Ecology (Ecology or “the State”) as a revision to its State Implementation Plan (SIP) on January 10, 2008. This action finds that the maintenance plan for this area meets all relevant Clean Air Act (CAA) requirements for approval, and demonstrates that the Central Puget Sound area will remain in attainment with the 1997 and 2008 ozone NAAQS through 2015.

DATES: This rule is effective on July 1, 2014, without further notice, unless the EPA receives adverse comment by June 2, 2014. If the EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2008–0122, by any of the following methods:

- www.regulations.gov: Follow the on-line instructions for submitting comments.
- Email: R10-Public_Comments@epa.gov.
- Mail: Keith Rose, U.S. EPA Region 10, Office of Air, Waste and Toxics (AWT–107), 1200 Sixth Avenue, Suite 900, Seattle, WA 98101.
- Hand Delivery/Courier: U.S. EPA Region 10, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101. Attention: Keith Rose, Office of Air, Waste and Toxics, AWT–107. Such deliveries are