

or further reducing power radiated in the vertical direction. This material shall be submitted to Laboratory Division, Office of Engineering and Technology, Federal Communications Commission, 7435 Oakland Mills Road, Columbia, MD 21046 Attn: U-NII Coordination, or via Web site at <https://www.fcc.gov/labhelp> with the subject line: "U-NII-1 Filing".

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of the Managing Director.*

[FR Doc. 2014-22610 Filed 9-23-14; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 15**

[ET Docket No. 13-49; FCC 14-30]

**Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band**

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** On May 1, 2014, the Commission released a Report and Order, "Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band." This document contains corrections to the final regulations that appeared in the **Federal Register** on May 1, 2014 (79 FR 24569).

**DATES:** Effective September 24, 2014.

**FOR FURTHER INFORMATION CONTACT:** Aole Wilkins, Office of Engineering and Technology, (202) 418-2406 or email [Aole.Wilkins@fcc.gov](mailto:Aole.Wilkins@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of this correction relates to "Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band" under § 15.407(a)(2) and (h)(2) of the rules.

**Need for Correction**

As published, the amendatory instructions in the final regulations contain errors that are misleading and need immediate correction.

**List of Subjects in 47 CFR Part 15**

Communications equipment, Radio.

Accordingly, 47 CFR part 15 is corrected by making the following correcting amendments:

**PART 15—RADIO FREQUENCY DEVICES**

■ 1. The authority citation for part 15 continues to read as follows:

**Authority:** 47 U.S.C. 154, 302a, 303, 304, 307, 336, 544a, and 549.

■ 2. Section 15.407 is amended by revising the first sentence of paragraph (a)(2) and by revising paragraph (h)(2) to read as follows:

**§ 15.407 General technical requirements.**

(a) \* \* \*  
 (2) For the 5.25–5.35 GHz and 5.47–5.725 GHz bands, the maximum conducted output power over the frequency bands of operation shall not exceed the lesser of 250 mW or 11 dBm + 10 log B, where B is the 26 dB emission bandwidth in megahertz.

\* \* \* \* \*

(h) \* \* \*  
 (2) Radar Detection Function of Dynamic Frequency Selection (DFS). U-NII devices operating with any part of its 26 dB emission bandwidth in the 5.25–5.35 GHz and 5.47–5.725 GHz bands shall employ a DFS radar detection mechanism to detect the presence of radar systems and to avoid co-channel operation with radar systems. Operators shall only use equipment with a DFS mechanism that is turned on when operating in these bands. The device must sense for radar signals at 100 percent of its emission bandwidth. The minimum DFS detection threshold for devices with a maximum e.i.r.p. of 200 mW to 1 W is –64 dBm. For devices that operate with less than 200 mW e.i.r.p. and a power spectral density of less than 10 dBm in a 1 MHz band, the minimum detection threshold is –62 dBm. The detection threshold is the received power averaged over 1 microsecond referenced to a 0 dBi antenna. For the initial channel setting, the manufacturers shall be permitted to provide for either random channel selection or manual channel selection.

- (i) Operational Modes. The DFS requirement applies to the following operational modes:
  - (A) The requirement for channel availability check time applies in the master operational mode.
  - (B) The requirement for channel move time applies in both the master and slave operational modes.
  - (ii) Channel Availability Check Time. A U-NII device shall check if there is a radar system already operating on the channel before it can initiate a transmission on a channel and when it has to move to a new channel. The U-

NII device may start using the channel if no radar signal with a power level greater than the interference threshold values listed in paragraph (h)(2) of this section, is detected within 60 seconds.

(iii) Channel Move Time. After a radar's presence is detected, all transmissions shall cease on the operating channel within 10 seconds. Transmissions during this period shall consist of normal traffic for a maximum of 200 ms after detection of the radar signal. In addition, intermittent management and control signals can be sent during the remaining time to facilitate vacating the operating channel.

(iv) Non-occupancy Period. A channel that has been flagged as containing a radar system, either by a channel availability check or in-service monitoring, is subject to a non-occupancy period of at least 30 minutes. The non-occupancy period starts at the time when the radar system is detected.

\* \* \* \* \*

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of the Managing Director.*

[FR Doc. 2014-22677 Filed 9-23-14; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**49 CFR Part 173**

[Docket No. PHMSA-2013-0205; Notice No. 14-5]

**Clarification on Fireworks Policy Regarding Display Aerial Shells With Attachments**

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

**ACTION:** Clarification.

**SUMMARY:** This document clarifies PHMSA's policy regarding applications for classification approval of Display Aerial Shells with Attachments, provided they conform to the acceptable criteria described in this guidance, and otherwise comply with APA Standard 87-1 requirements. Although the APA Standard 87-1 provides requirements for Display Aerial Shells, it does not specifically address Display Aerial Shells with Attachments.

**DATES:** September 24, 2014.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ryan Paquet, Director, Approvals and Permits Division, Office of Hazardous Materials Safety, (202) 366-4512,

PHMSA, 1200 New Jersey Avenue SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

In this document, PHMSA's Office of Hazardous Materials Safety (OHMS) is issuing this policy regarding its classification approval of Display Aerial Shells with Attachments, which describes acceptable criteria for these types of fireworks. PHMSA previously evaluated and approved these devices; however, PHMSA has not previously published guidance regarding the approval of these types of fireworks. This clarification will help fireworks manufacturers and their U.S. designated agents who file applications on their behalf to provide accurate applications to PHMSA for approval, which will minimize the delay in processing these applications while sustaining the current level of safety.

**II. Background**

PHMSA's OHMS, Approvals and Permits Division, receives approval applications for various types of fireworks, including Division 1.3G Display Aerial Shells with Attachments. Division 1.3G fireworks applications may be approved in accordance with subpart C of part 173 of the Hazardous Materials Regulations (HMR, 49 CFR parts 171–180). Division 1.3G fireworks applicants have the option for obtaining an EX classification approval without prior testing by a DOT-approved explosive test laboratory, provided that the firework device is manufactured in accordance with the APA Standard 87–1 and passes a thermal stability test as required by § 173.64(a)(1) and (2). The APA Standard 87–1 currently does not specifically address Display Aerial Shells with Attachments; however, it does provide the requirements for display shells.

Display Aerial Shells with Attachments that conform to the acceptable criteria described in this guidance and all applicable requirements in the APA Standard 87–1 (i.e., chemical compositions and shell diameter sizes), may be submitted to PHMSA for approval.

**III. Guidelines for Display Aerial Shells With Attachments**

PHMSA considers Display Aerial Shells with Attachments to be cylindrical or spherical cartridges containing pyrotechnic compositions with attached external components. An attachment is a component that contains pyrotechnic composition that is attached to the outside of a Display Aerial Shell, and may be ignited by its

own independent fuse. Display Aerial Shells with Attachments range from 2 inches (50mm) to 10 inches (250mm) in exterior diameter and are classed as UN0335, Fireworks, Division 1.3G.

To be accepted for review and consideration, PHMSA expects Display Aerial Shells with Attachments to be designed so that they (1) remain attached to the display aerial shell, (2) do not leak pyrotechnic composition during transportation, and (3) are constructed of sturdy materials, such as (but not limited to) plastic, Kraft paper, or cardboard (this does not apply to tails). Designs must meet the requirements of 40 CFR 173.56(b) or 173.64, the requirements in the APA Standard 87–1, and must pass a thermal stability test as required by § 173.64(a)(2).

Issued in Washington, DC, under authority delegated in 49 CFR 1.97.

**William S. Schoonover,**

*Deputy Associate Administrator, Pipeline and Hazardous Materials Safety Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**49 CFR Part 173**

[Docket No. PHMSA–2013–0205; Notice No. 14–4]

**Clarification on Fireworks Policy Regarding Display Mines**

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

**ACTION:** Clarification.

**SUMMARY:** This document clarifies PHMSA's policy regarding applications for classification approval of Display Mines provided they conform to the acceptable criteria described in this guidance, and otherwise comply with the APA Standard 87–1 requirements.

**DATES:** September 24, 2014.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ryan Paquet, Director, Approvals and Permits Division, Office of Hazardous Materials Safety, (202) 366–4512, PHMSA, 1200 New Jersey Avenue SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

In this document, PHMSA's Office of Hazardous Materials Safety (OHMS) is issuing this policy regarding its classification approval of Display

Mines, which describes acceptable criteria for these types of fireworks. PHMSA previously evaluated and approved these devices; however, PHMSA has not previously published guidance regarding the approval of these types of fireworks. This clarification will help fireworks manufacturers and their U.S. designated agents that file applications on their behalf, to provide accurate applications to PHMSA for approval, which will minimize the delay in processing these applications, while sustaining the current level of safety.

**II. Background**

PHMSA's OHMS, Approvals and Permits Division, receives approval applications for various types of fireworks, including Division 1.3G Display Mines. Division 1.3G fireworks applications may be approved in accordance with subpart C of part 173 of the Hazardous Materials Regulations (HMR, 49 CFR parts 171–180). Division 1.3G fireworks applicants have the option for obtaining an EX classification approval without prior testing by a DOT-approved explosive test laboratory, provided that the firework device is manufactured in accordance with the APA Standard 87–1 and passes a thermal stability test as required by § 173.64(a)(1) and (2). The APA Standard 87–1 currently does not specifically address Display Mines; however, it does provide the requirements for display shells.

Display Mines that conform to the acceptable criteria described in this guidance, and all applicable requirements in the APA Standard 87–1, (e.g., chemical compositions and shell diameter sizes), may be submitted to PHMSA for approval classification.

**III. Guidelines for Display Mines**

PHMSA considers a Display Mine to be a cylindrical or spherical cartridge that contains a propelling charge and does not contain a primary burst charge or a main delay fuse. Internal effects (e.g. cassettes or small display shells) are permitted to contain a burst charge and an internal delay fuse. The internal effects are launched from a tube by the propelling charge. Display Mines range from 2 inches (50mm) to 10 inches (250mm) in exterior diameter and are classed as UN0335, Fireworks, Division 1.3G.

To be accepted for review and consideration, PHMSA expects Display Mines to be designed so that they (1) will not leak pyrotechnic composition during transportation in accordance with § 173.54(c); and (2) are constructed of sturdy materials, such as (but not