SPECIAL PUBLIC NOTICE

US ARMY CORPS OF ENGINEERS
St. Louis District
Gateway to Excellence

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, MO 63103-2833

Public Notice Date
August 14, 2009

Expiration Date
September 14, 2009

Postmaster Please Post Conspicuously Until:

EXTENSION OF COMMENT PERIOD: PROPOSED SUSPENSION AND MODIFICATION OF NATIONWIDE PERMIT NUMBER 21 IN THE APPALACHIAN REGION OF KENTUCKY, OHIO, PENNSYLVANIA, TENNESSEE, VIRGINIA, AND WEST VIRGINIA

In the July 15, 2009, issue of the Federal Register (74 FR 34311) the U.S. Army Corps of Engineers published a proposal to take two actions concerning Nationwide Permit 21, which authorizes discharges of dredged or fill material into waters of the United States for surface coal mining activities.

First, the Corps proposes to modify NWP 21 to prohibit its use to authorize discharges of dredged or fill material into waters of the United States for surface coal mining activities in the Appalachian region of the following states: Kentucky, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia until it expires on March 18, 2012. The proposed modification would enhance environmental protection of aquatic resources by requiring surface coal mining projects in the affected region to obtain individual permit coverage under the Clean Water Act, which includes increased public and agency involvement in the permit review process, including an opportunity for public comment on individual projects.

Second, the Corps is proposing to suspend NWP 21 to provide an interim means of requiring individual permit reviews in Appalachia, while proposing to undertake the longer-term measure of modifying NWP 21 to prohibit its use to authorize discharges of dredged or fill material into waters of the United States associated with surface coal mining activities in the Appalachian region of these six States. The Corps is also proposing to suspend NWP 21 to provide immediate environmental protection while it evaluates the comments received in response to the proposal to modify NWP 21.

The application of NWP 21 to surface coal mining activities in the rest of the United States would not be affected by this proposed modification or the proposed suspension.

The July 15, 2009, notice stated that public comments and requests for a public hearing must be received by August 14, 2009. Several entities requested an extension of the comment period for the proposed rule. We have determined that a 30-day extension of the comment period for this proposed rule is warranted. Therefore, the comment period for these proposed actions is extended until September 14, 2009.

For more information, including instructions for submitting comments, please see the attached Federal Register notice.

Danny D. McClendon

Danny McClendon
Chief, Regulatory Branch

attributable to the acquisition of four parcels within the Mullica River watershed through a partnership with New Jersey Conservation Foundation and the continued implementation of the Mullica River Conservation Initiative. The acquisition of Bear Creek Preserve (100 acres), Hanselman Preserve (57 acres), Rudolph Property (31 acres), and Lee Property (20 acres) provides additional buffer areas (mixed pitch pine-scrub oak upland, Atlantic white cedar forest) for key land and water areas (salt marsh flats, tidal wetlands).

FOR FURTHER INFORMATION CONTACT: Michael Migliori at (301) 563–1126 or Laurie McGilvray at (301) 563–1158 of NOAA's National Ocean Service, Estuarine Reserves Division, 1305 East-West Highway, N/ORM5, 10th floor, Silver Spring, MD 20910. For copies of the Jacques Cousteau Management Plan revision, visit *http://www.jcnerr.org/*.

Dated: August 3, 2009.

David M. Kennedy,

Director, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.

[FR Doc. E9–19284 Filed 8–12–09; 8:45 am]

BILLING CODE 3510–08–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XQ83

Taking and Importing of Marine Mammals

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

ACTION: Notice; annual affirmative finding renewals.

SUMMARY: The Assistant Administrator for Fisheries, NMFS (Assistant Administrator), has renewed the affirmative findings for the Government of Ecuador, the Government of El Salvador, the Government of Mexico and the Government of Spain under the Marine Mammal Protection Act (MMPA). These affirmative findings will allow yellowfin tuna harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the International Dolphin Conservation Program (IDCP) by Ecuadorian-flag, El Salvadorian-flag, Mexican-flag or Spanish-flag purse seine vessels or purse seine vessels operating under Ecuadorian, El Salvadorian, Mexican, or Spanish jurisdiction to be imported into the United States. These affirmative findings were based on review of documentary evidence submitted separately by the Governments of Ecuador, El Salvador, Mexico, and Spain and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the U.S. Department of State.

DATES: The affirmative finding renewals are effective from April 1, 2009, through March 31, 2010.

FOR FURTHER INFORMATION CONTACT: Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802–4213; phone 562–980–4000; fax 562–980–4018.

SUPPLEMENTARY INFORMATION: The MMPA, 16 U.S.C. 1361 *et seq.*, allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator for Fisheries (Assistant Administrator) will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, and the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the IDCP and obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS reviews the affirmative finding and determine whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with IDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the IDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f), the Assistant Administrator considered documentary evidence submitted separately by the Government of Ecuador, the Government of El Salvador, the Government of Mexico, and the Government of Spain, as well as evidence obtained from the IATTC and the Department of State and has determined that Ecuador, El Salvador, Mexico and Spain have each met the MMPA's requirements to receive annual affirmative finding renewals.

After consultation with the Department of State, the Assistant Administrator issued annual affirmative finding renewals to the Governments of Ecuador, El Salvador, Mexico, and Spain, allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Ecuadorian-flag, El Salvadorian-flag, Mexican-flag or Spanish-flag purse seine vessels or purse seine vessels operating under the jurisdiction of these nations. These annual renewals of affirmative findings for Ecuador, El Salvador, Mexico and Spain will remain valid through March 31, 2010.

Dated: August 7, 2009.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. E9–19470 Filed 8–12–09; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

RIN 0710–ZA04

Proposed Suspension and Modification of Nationwide Permit 21

AGENCY: United States Army Corps of Engineers, Department of Defense,

ACTION: Notice; extension of comment period.

SUMMARY: In the July 15, 2009, issue of the **Federal Register** (74 FR 34311) the U.S. Army Corps of Engineers published a proposal to take two actions concerning Nationwide Permit 21, which authorizes discharges of dredged or fill material into waters of the United States for surface coal mining activities. The two proposed actions are to suspend NWP 21 to prohibit its use to authorize surface coal mining activities in the Appalachian region of Kentucky, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, and then to modify NWP 21 to make that prohibition permanent until NWP 21 expires on March 18, 2012. The July 15, 2009, notice stated that public comments and any requests for a public hearing must be received by August 14,

2009. We have received several requests to extend the comment period. We are extending the comment period to September 14, 2009.

DATES: Comments must be received by September 14, 2009.

ADDRESSES: You may submit comments, identified by docket number COE–2009–0032, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: U.S. Army Corps of Engineers, Attn: CECW–CO (Attn: Ms. Desiree Hann), 441 G Street, NW., Washington, DC 20314–1000.

Hand Delivery/Courier: Due to security requirements, we cannot receive comments by hand delivery or courier.

We will not accept e-mailed or faxed comments. We will post all comments on *http://www.regulations.gov* under docket number COE–2009–0032.

FOR FURTHER INFORMATION CONTACT: Ms. Desiree Hann or Mr. David Olson, Headquarters, Operations and Regulatory Community of Practice, Washington, DC. Ms. Hann can be reached at 202–761–4560 and Mr. Olson can be reached at 202–761–4922.

SUPPLEMENTARY INFORMATION: In the July 15, 2009, issue of the **Federal Register** (74 FR 34311) the U.S. Army Corps of Engineers published a proposal to take two actions concerning Nationwide Permit 21, which authorizes discharges of dredged or fill material into waters of the United States for surface coal mining activities.

First, the Corps proposes to modify NWP 21 to prohibit its use to authorize discharges of dredged or fill material into waters of the United States for surface coal mining activities in the Appalachian region of the following states: Kentucky, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia until it expires on March 18, 2012. The proposed modification would enhance environmental protection of aquatic resources by requiring surface coal mining projects in the affected region to obtain individual permit coverage under the Clean Water Act, which includes increased public and agency involvement in the permit review process, including an opportunity for public comment on individual projects.

Second, the Corps is proposing to suspend NWP 21 to provide an interim means of requiring individual permit reviews in Appalachia, while proposing to undertake the longer-term measure of modifying NWP 21 to prohibit its use to authorize discharges of dredged or fill material into waters of the United States associated with surface coal mining activities in the Appalachian region of these six States. The Corps is also proposing to suspend NWP 21 to provide immediate environmental protection while it evaluates the comments received in response to the proposal to modify NWP 21.

The application of NWP 21 to surface coal mining activities in the rest of the United States would not be affected by this proposed modification or the proposed suspension.

Several entities have requested an extension of the comment period for the proposed rule. We have determined that a 30-day extension of the comment period for this proposed rule is warranted. Therefore, the comment period for these proposed actions is extended until September 14, 2009.

Dated: August 10, 2009. Approved By:

Jonathan A. Davis,

Deputy Chief, Operations, Directorate of Civil Works.

[FR Doc. E9–19446 Filed 8–12–09; 8:45 am]

BILLING CODE 3710–92–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8945–5]

Cross-Media Electronic Reporting Rule State Authorized Program Revision/Modification Approvals: State of Washington

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval, under regulations for Cross-Media Electronic Reporting, of the State of Washington's request to revise/modify programs to allow electronic reporting for certain of their EPA-authorized programs under title 40 of the CFR.

DATES: EPA's approval is effective on August 13, 2009.

FOR FURTHER INFORMATION CONTACT: Evi Huffer, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566–1697, *huffer.evi@epa.gov,* or David Schwarz, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566–1704, *schwarz.david@epa.gov.*

SUPPLEMENTARY INFORMATION: On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR, requires that State, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and get EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the state, tribe, or local government will use to implement the electronic reporting. Additionally, in § 3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the state, tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the State, tribe or local government has sufficient legal authority to implement the electronic reporting components of its authorized programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On October 10, 2008, the State of Washington Department of Ecology (WAECY) submitted an application for its enterprise-wide electronic document receiving system for revision or modification of multiple EPA-authorized programs under title 40 CFR. EPA reviewed WAECY's request to revise/modify their EPA-authorized programs and, based on this review, EPA determined the application met the standards for approval of authorized program revisions/modifications set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve Washington's request for revision/modification to certain of their authorized programs is being published in the **Federal Register**.

Specifically, EPA has approved WAECY's request for revisions/modifications to the following of their authorized programs to allow electronic reporting under 40 CFR parts 51, 60–63, 70, 122–124, 144–147, and 280:

- Part 52—Approval and Promulgation of Implementation Plans;