mandated by NEPA, the regulations of the Council on Environmental Quality (CEQ), and in particular, the Ninth Circuit decision in *San Luis Obispo Mothers for Peace v. NRC*, 449 F.3d 1016 (9th Cir. 2006), cert. denied 127 S. Ct. 1124 (2007). The petitioner further asserts that the requested rulemaking actions are warranted by the facts and legal arguments set forth in the rulemaking petition filed by the Attorney General of the Commonwealth of Massachusetts, docketed by the NRC as Docket No. PRM–51–10 on September 19, 2006, followed by a subsequent publication of a notice of receipt of a petition for rulemaking on November 1, 2006 (71 FR 64169). Therefore, the NRC, after the public comment period, may consolidate its response to both petitions in one action.

DATED at Rockville, Maryland, this 8th day of May 2007.

For the U.S. Nuclear Regulatory Commission.

Annette L. Vietti-Cook,
Secretary of the Commission.

For Further Information Contact: John Craynon, P.E., Chief, Division of Regulatory Support, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., MS–202, Washington, DC 20240; Telephone 202–208–2866; E-mail: jcraynon@osmre.gov.

Supplementary Information: On March 14, 2007, we published the ANPR that invited comment on how we should revise the regulations implementing Titles IV and V of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act) to regulate the placement of CCBs on active and abandoned coal minesites and what type of guidance documents we should issue, if any, (72 FR 12026). We also sought comment on whether section 405(i) of the Act provides sufficient latitude to require that abandoned mine land reclamation project submissions include site–specific plans and requirements concerning the placement of CCBs. The comment period was originally scheduled to close May 14, 2007. After publishing the ANPR, we received requests from several parties to extend the comment period. We reviewed the requests and have decided to extend the public comment period for the ANPR for 30 days. The public comment period will now close June 13, 2007.

Comments received in response to the ANPR will help us scope and frame the proposed rule. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.


C. Stephen Allred,
Assistant Secretary, Land and Minerals Management.

Federal e-Rulemaking Portal: http://www.regulations.gov. The notice is listed under the agency name “SURFACE MINING RECLAMATION AND ENFORCEMENT OFFICE.” Click “Add Comments” to submit comments.