

interviewed. The interviews gathered information that included operating profiles, preferred diving locations and methods, detailed business data (revenue and costs), and general opinions of the current state of scuba diving and spearfishing off the Georgia coast. None of these businesses offer scuba diving trips to GRNMS.

Moreover, abundant commercial spearfishing opportunities currently exist outside of the sanctuary. Dive charters reported a total of 1,747 person-days of scuba diving off the Georgia coast in 2007. Approximately 55 percent of these person-days were non-consumptive (no spearfishing) person-days, 44 percent were consumptive (spearfishing) person-days, and the remaining 1 percent was sightseeing/sportfishing.

Because the impacts of this rule on the recreational charter fishing businesses and the recreational charter diving business would be minimal or would have no impact, the Chief Counsel for Regulation certified to the Chief Counsel for Advocacy at SBA that this rule would not have a significant economic impact on a substantial number of small entities.

#### *E. Paperwork Reduction Act*

This proposed rule would not require any additional collection of information, and therefore no paperwork reduction act action is required. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

#### **IV. Request for Comments**

NOAA requests comments on this proposed rule for 60 days after publication of this notice.

#### **List of Subjects in 15 CFR Part 922**

Administrative practice and procedure, Coastal zone, Fishing gear, Marine resources, Natural resources, Penalties, Recreation and recreation areas, Wildlife.

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: February 26, 2009.

**John H. Dunnigan,**

*Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration.*

Accordingly, for the reasons set forth above, NOAA proposes amending part 922, title 15 of the Code of Federal Regulations as follows:

### **PART 922—NATIONAL MARINE SANCTUARY PROGRAM REGULATIONS**

1. The authority citation for part 922 continues to read as follows:

**Authority:** 16 U.S.C. 1431 et seq.

2. Revise paragraphs (a)(5)(i) and (a)(6) of § 922.92 to read as follows:

#### **§ 922.92 Prohibited or otherwise regulated activities.**

(a) \* \* \*

(5)(i) Injuring, catching, harvesting, or collecting, or attempting to injure, catch, harvest, or collect, any marine organism, or any part thereof, living or dead, within the Sanctuary by any means except by use of rod and reel, and handline gear.

(6) Except for possessing fishing gear or means for fishing stowed and not available for immediate use while passing through the Sanctuary without interruption or for valid law enforcement purposes, possessing, carrying, or using within the Sanctuary any fishing gear or means for fishing except rod and reel, and handline gear.

\* \* \* \* \*

[FR Doc. E9-4567 Filed 3-3-09; 8:45 am]

**BILLING CODE 3510-NK-P**

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### **42 CFR Part 84**

[Docket Number NIOSH-005]

**RIN 0920-AA10**

#### **Approval Tests and Standards for Closed-Circuit Escape Respirators**

**AGENCY:** Centers for Disease Control and Prevention, HHS.

**ACTION:** Notice of proposed rulemaking; Reopening of comment period and notice of public meetings.

**SUMMARY:** The Department of Health and Human Services (DHHS) is reopening the comment period until April 10, 2009 and will hold public meetings concerning the proposed rule for Approval Tests and Standards for Closed-Circuit Escape Respirators that was published in the **Federal Register** on Wednesday, December 10, 2008.

**DATES:** The comment period for the proposed rule published December 10, 2008 (73 FR 75027), is reopened. All written comments on the proposed rule must be received on or before April 10, 2009. Public meetings on this proposed rule will be held on March 16 and March 23, 2009. Details concerning

those meetings are in the **SUPPLEMENTARY INFORMATION** section below.

**ADDRESSES:** You may submit comments, identified by RIN: 0920-AA10, by any of the following methods:

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

- *E-mail:* [niocindocket@cdc.gov](mailto:niocindocket@cdc.gov). Include "RIN: 0920-AA10" and "42 CFR pt. 84" in the subject line of the message.

- *Mail:* NIOSH Docket Office, Docket #005, Robert A. Taft Laboratories, MS-C34, 4676 Columbia Parkway, Cincinnati, OH 45226.

*Instructions:* All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking, RIN: 0920-AA10. All comments received will be posted without change to <http://www.cdc.gov/niosh/docket>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.cdc.gov/niosh/docket>.

**SUPPLEMENTARY INFORMATION:** The Department of Health and Human Services published a proposed rule on the Approval Tests and Standards for Closed-Circuit Escape Respirators on December 10, 2008. The Department requested comments on or before February 9, 2009. The Department planned to hold public meetings before that date but these meetings could not be scheduled.

The Department will hold two public meetings on the proposed rule at the following times and locations: March 16, 2009, beginning at 9 a.m., MST, and expected to end at 12:30 MST at the Marriot Denver Tech Center, 4900 S. Syracuse Street, Denver, CO 80237; and March 23, 2009, beginning at 1 p.m. est, and expected to end at 5 p.m. EST, at the Marriot Inn and Conference Center UMUC, 3501 University Boulevard E., Adelphi, MD 20783. As a result, the Department is also reopening the comment period until April 10, 2009 to permit additional time for interested parties to submit comments.

**FOR FURTHER INFORMATION CONTACT:** Jonathan V. Szalajda, NIOSH, National Personal Protective Technology Laboratory (NPPTL), Post Office Box 18070, 626 Cochrans Mill Road, Pittsburgh, Pennsylvania 15236, telephone (412) 386-5200, facsimile (412) 386-4089, e-mail [zfx1@cdc.gov](mailto:zfx1@cdc.gov).

Dated: February 26, 2009.

**Charles E. Johnson,**

*Acting Secretary.*

[FR Doc. E9-4620 Filed 3-3-09; 8:45 am]

**BILLING CODE 4163-18-P**

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### 42 CFR Part 84

[Docket Number NIOSH-109]

RIN 0920-AA04

#### Quality Assurance Requirements for Respirators

**AGENCY:** Department of Health and Human Services.

**ACTION:** Notice of proposed rulemaking; Reopening of comment period and notice of public meetings.

**SUMMARY:** The Department of Health and Human Services (HHS) is reopening the comment period until April 10, 2009 and will hold public meetings concerning the proposed rule for Quality Assurance Requirements for Respirators that was published in the **Federal Register** on Wednesday, December 10, 2008.

**DATES:** The comment period for the proposed rule published December 10, 2008 (73 FR 75045), is reopened. All written comments on the proposed rule must be received on or before April 10,

2009. Public meetings on this proposed rule will be held on March 23 and March 30, 2009. Details concerning those meetings are in the **SUPPLEMENTAL INFORMATION** section below.

**ADDRESSES:** You may submit comments, identified by RIN: 0920-AA04, by any of the following methods:

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

- *E-mail:* [niocindocket@cdc.gov](mailto:niocindocket@cdc.gov). Include "RIN: 0920-AA04" and "42 CFR pt. 84" in the subject line of the message.

- *Mail:* NIOSH Docket Office, Docket #109, Robert A. Taft Laboratories, MS-C34, 4676 Columbia Parkway, Cincinnati, OH 45226.

*Instructions:* All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking, RIN: 0920-AA04. All comments received will be posted without change to <http://www.cdc.gov/niosh/docket>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.cdc.gov/niosh/docket>.

**SUPPLEMENTARY INFORMATION:** The Department of Health and Human Services published a proposed rule on the Quality Assurance Requirements for Respirators on December 10, 2008. The

Department requested comments on or before February 9, 2009. The Department planned to hold public meetings before that date but these meetings could not be scheduled during the comment period.

The Department will hold two public meetings on the proposed rule at the following times and locations: March 23, 2009, beginning at 8:30 a.m. EST and expected to end at 12:30 p.m. EST, at the Marriot Inn and Conference Center UMUC, 3501 University Boulevard E., Adelphi, MD 20783; and March 30, 2009, beginning at 9 a.m. PST, and expected to end by 12:30 PST, at the Marriot Los Angeles Airport, 5855 West Century Boulevard, Los Angeles, CA 90045. As a result, the Department is also reopening the comment period until April 10, 2009 to permit additional time for interested parties to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Jonathan V. Szalajda, NIOSH, National Personal Protective Technology Laboratory (NPPTL), Post Office Box 18070, 626 Cochran's Mill Road, Pittsburgh, Pennsylvania 15236, telephone (412) 386-5200, facsimile (412) 386-4089, e-mail [zfx1@cdc.gov](mailto:zfx1@cdc.gov).

Dated: February 26, 2009.

**Charles E. Johnson,**

*Acting Secretary.*

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