

individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at <http://DocketsInfo.dot.gov>.

*Docket:* Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Langert, AAS–300, Office of Airports Safety and Standards, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267–493–4529; e-mail [Kenneth.Langert@faa.gov](mailto:Kenneth.Langert@faa.gov).

**SUPPLEMENTARY INFORMATION:** See the “Additional Information” section for information on how to comment on this proposal and how the FAA will handle comments received. The “Additional Information” section also contains related information about the docket, privacy, and the handling of proprietary or confidential business information. In addition, there is information on obtaining copies of related rulemaking documents.

### Background

On February 1, 2011, the FAA issued Notice No. 11–01, entitled “Safety Enhancements Part 139, Certification of Airports” (76 FR 5510). The comment period closed on April 4, 2011. On April 13, 2011, the FAA reopened the comment period for 30 days to allow additional opportunity to comment on the NPRM (76 FR 20570). The comment period then closed on May 13, 2011.

During the comment period, several commenters stated the FAA's economic evaluation for this proposed rule was not available for review and comment. That document was placed in the docket and the comment period was again reopened to allow additional time to comment on the NPRM (76 FR 32106).

On June 11, 2011, the Federal Docket Management System (FDMS.gov) version 3.5 was released and implemented. Shortly thereafter, we realized the new release had resulted in several (but not all) documents previously submitted to the docket were not accessible. Unfortunately, the regulatory evaluation for this rulemaking was one of those documents. That document is now

accessible. The FAA believes additional time should be allowed to comment on the regulatory document commensurate with the amount of time the document was not accessible.

### Reopening of Comment Period

In accordance with § 11.47(c) of title 14, Code of Federal Regulations, the FAA has determined that re-opening of the comment period is consistent with the public interest, and that good cause exists for taking this action. Absent unusual circumstances, the FAA does not anticipate any further extension of the comment period for this rulemaking.

Accordingly, the comment period for Notice No. 11–1 is reopened until July 26, 2011.

### Additional Information

#### A. Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. The agency also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The agency may change this proposal in light of the comments it receives.

Proprietary or Confidential Business Information: Do not file proprietary or confidential business information in the docket. Such information must be sent or delivered directly to the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this document, and marked as proprietary or confidential. If submitting information on a disk or CD ROM, mark the outside of the disk or CD ROM, and identify electronically within the disk or CD ROM the specific information that is proprietary or confidential.

Under 14 CFR 11.35(b), if the FAA is aware of proprietary information filed with a comment, the agency does not place it in the docket. It is held in a separate file to which the public does not have access, and the FAA places a note in the docket that it has received it. If the FAA receives a request to examine or copy this information, it treats it as any other request under the Freedom of Information Act (5 U.S.C. 552). The FAA processes such a request under Department of Transportation procedures found in 49 CFR part 7.

#### B. Availability of Rulemaking Documents

An electronic copy of rulemaking documents may be obtained from the Internet by—

1. Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);
2. Visiting the FAA's Regulations and Policies web page at [http://www.faa.gov/regulations\\_policies](http://www.faa.gov/regulations_policies) or
3. Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680. Commenters must identify the docket or notice number of this rulemaking.

All documents the FAA considered in developing this proposed rule, including economic analyses and technical reports, may be accessed from the Internet through the Federal eRulemaking Portal referenced in item (1) above.

Issued in Washington, DC, on July 1, 2011.

**Dennis R. Pratte,**

*Acting Director, Office of Rulemaking.*

[FR Doc. 2011–17293 Filed 7–8–11; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 914

[SATS No. IN–160–FOR; Docket ID: OSM–2011–0008]

#### Indiana Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; public comment period on proposed amendment.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement

(OSM), are announcing receipt of a proposed amendment to the Indiana regulatory program (Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). Indiana proposes revisions to its ownership/control provisions and miscellaneous adjustments to other regulations. Indiana proposes these revisions to be consistent with the corresponding Federal regulations, to clarify ambiguities, and to improve operational efficiency.

This document provides the times and locations that the Indiana program and proposed amendments to this program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments on this amendment until 4 p.m., c.d.t., August 10, 2011. If requested, we will hold a public hearing on the amendment on August 5, 2011. We will accept requests to speak at a hearing until 4 p.m., c.d.t. on July 26, 2011.

**ADDRESSES:** You may submit comments, identified by SATS No. IN-160-FOR, by any of the following methods:

- *E-mail:* [agilmore@osmre.gov](mailto:agilmore@osmre.gov) and include SATS No. IN-160-FOR in the subject line of the message.
- *Mail/Hand Delivery:* Andrew R. Gilmore, Chief, Alton Field Division Indianapolis Area Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 236, Indianapolis, Indiana 46204.

- *Fax:* (317) 226-6182.

- *Federal eRulemaking Portal:* The amendment has been assigned Docket ID: OSM-2011-0008. If you would like to submit comments go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Comment Procedures" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to review copies of the Indiana regulations, this amendment, a listing of any scheduled public hearings, and all written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday,

excluding holidays. You may receive one free copy of the amendment by contacting OSM's Alton Field Division; or you can view the full text of the program amendment available for you to read at <http://www.regulations.gov>.

Andrew R. Gilmore, Chief, Alton Field Division Indianapolis Area Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 236, Indianapolis, Indiana 46204, Telephone: (317) 226-6700, E-mail: [agilmore@osmre.gov](mailto:agilmore@osmre.gov).

In addition, you may review a copy of the amendment during regular business hours at the following location: Division of Reclamation, Indiana Department of Natural Resources, R.R. #2, Box 129, Jasonville, IN 47438.

**FOR FURTHER INFORMATION CONTACT:** Andrew R. Gilmore, Chief, Alton Field Division-Indianapolis Area Office. Telephone: (317) 226-6700. E-mail: [agilmore@osmre.gov](mailto:agilmore@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Indiana Program
- II. Description of the Proposed Amendment
- III. Public Comment Procedures
- IV. Procedural Determinations

**I. Background on the Indiana Program**

Section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its program includes, among other things, "a State law which provides for the regulation of surface coal mining and reclamation operations in accordance with the requirements of this Act \* \* \*; and rules and regulations consistent with regulations issued by the Secretary pursuant to this Act." See 30 U.S.C. 1253(a)(1) and (7). On the basis of these criteria, the Secretary of the Interior (Secretary) conditionally approved the Indiana program effective July 29, 1982. You can find background information on the Indiana program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Indiana program in the July 26, 1982, **Federal Register** (47 FR 32071). You can also find later actions concerning the Indiana program and program amendments at 30 CFR 914.10, 914.15, 914.16, and 914.17.

**II. Description of the Proposed Amendment**

By letter dated May 25, 2011, (Administrative Record No. IND-1756), Indiana sent us amendments to its Program under SMCRA (30 U.S.C. 1201 *et seq.*) to satisfy ownership and control

requirements and to make miscellaneous revisions to other regulations. Below is a summary of the changes proposed by Indiana. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*A. 312 IAC 25-1-10.5 Applicant/Violator System; 312 IAC 25-1-32.5 Control or Controller; 312 IAC 25-1-51.5 Federal Office of Surface Mining Applicant/Violator System Office; and 312 IAC 25-1-75.1 Knowing or Knowingly*

Indiana proposes to add new definitions in these sections. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*B. 312 IAC 25-1-48 Excess Spoil*

Indiana proposes to amend this definition in this section. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at [www.regulations.gov](http://www.regulations.gov).

*C. 312 IAC 25-4-18 Surface Mining Permit Applications; Compliance Information and 312 IAC 25-4-59 Underground Mining Permit Applications; Compliance Information*

Indiana proposes to amend these sections to require compliance history reports from the applicant/violator system for both surface and underground mining. The amendment also specifies how Indiana will utilize compliance information received from the permittee and adds the "operator" to the list of entities that must submit compliance information. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*D. 312 IAC 25-4-115.1 Post Permit Issuance Information Requirements*

Indiana proposes to add this section to require timely notice of changes of owners and controllers by the permittee. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*E. 312 IAC 25-4-122.1 Review of Director's Ownership or Control Listing or Finding*

Indiana proposes to add this section to provide provisions for challenging an ownership/control determination. The full text of the program amendment is available for you to read at the locations

listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*F. 312 IAC 25–4–122.2 Burden of Proof for Ownership or Control Challenges*

Indiana proposes to add this section to outline evidence necessary for submission by the permittee during ownership/control challenges. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*G. 312 IAC 25–4–122.3 Written Agency Decision on Challenges to Ownership or Control*

Indiana proposes to add this section to outline duties of the Department as a result of an ownership/control challenge. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*H. 312 IAC 25–4–127 Permit Reviews; Revisions, Renewals, and Transfer, Sale, or Assignment of Rights Granted Under Permits; Permit Revisions*

Indiana proposes to amend this section to clarify various requirements for permit revisions including adding definitions and requirements for significant revisions, non-significant revisions and minor field revisions. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*I. 312 IAC 25–5–7 Period of Liability*

Indiana proposes to amend this section to provide clarity concerning the period of liability for alternative postmine land uses beyond the control of the permittee. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*J. 312 IAC 25–5–16 Performance Bond Release; Requirements*

Indiana proposes to amend this section to clarify requirements for informal conferences and public hearings associated with bond release. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*K. 312 IAC 25–6–59 Surface Mining; Revegetation; Standards for Success for Nonprime Farmland*

Indiana proposes to amend this section to provide for alternative stocking rates for specific forest

reclamation approaches. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*L. 312 IAC 25–6–93 Underground Mining; Explosives; General Requirements*

Indiana proposes to amend this section to clarify applicability of blasting regulations for construction of slopes and shafts at underground coal mines. The full text of the program amendment is available for your review at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*M. 312 IAC 25–6–94 Underground Mining; Explosives; Preblasting Survey*

Indiana proposes to amend this section for the purpose of mirroring requirements for preblast surveys at underground mines with that of the surface mine preblast survey provisions at 312 IAC 25–6–30 Surface mining; explosives; general requirements. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*N. 312 IAC 25–6–95 Underground Mining; Explosives; Publication of Blasting Schedule*

Indiana proposes to amend this section concerning publication and approval of blasting schedules and to mirror the requirements of the surface mine blasting provisions at 312 IAC 25–6–31 Surface mining; explosives; publication of blasting schedule. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*O. 312 IAC 25–7–5 State Enforcement; Cessation Orders*

Indiana proposes to amend this section in regard to stays of a cessation order and to provide information concerning rights to appeal of determinations made under this regulation. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

*P. 312 IAC 25–4–23 Surface Mining Permit Applications; Identification of Other Safety and Environmental Licenses and Permits, and 312 IAC 25–4–64 Underground Mining Permit Application; Legal and Financial Information; Identification of Other Licenses and Permits*

Indiana proposes to repeal these sections because the Federal counterpart regulations have been repealed. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at <http://www.regulations.gov>.

### III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether Indiana's proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of Indiana's State Program.

#### *Electronic or Written Comments*

If you submit written comments, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

#### *Public Availability of Comments*

Before including your address, phone number, email 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 your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### *Public Hearing*

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4 p.m., c.d.t. on July 26, 2011. If you are disabled and need reasonable

accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

#### Public Meeting

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public. If possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

#### IV. Procedural Determinations

##### Executive Order 12866—Regulatory Planning and Review

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866.

##### Other Laws and Executive Orders Affecting Rulemaking

When a State submits a program amendment to OSM for review, our regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment. We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and executive orders governing the rulemaking process and include them in the final rule.

#### List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 1, 2011.

**William L. Joseph,**

*Acting Regional Director, Mid-Continent Region.*

[FR Doc. 2011-17297 Filed 7-8-11; 8:45 am]

**BILLING CODE 4310-05-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2011-0544; FRL-9434-9]

#### Approval and Promulgation of Implementation Plans; California Air Resources Board—In-Use Heavy-Duty Diesel-Fueled Truck and Bus Regulation, Drayage Truck Regulation and Ocean-Going Vessels Clean Fuels Regulation

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP) that EPA expects to be submitted by the California Air Resources Board (CARB or Board). These revisions concern three regulations that reduce emissions of diesel particulate matter (PM), oxides of nitrogen (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>) and other pollutants from in-use, heavy-duty diesel-fueled trucks and buses and from ocean-going vessels (OGV) operating within California jurisdiction. This proposed approval is based on proposed regulations submitted by CARB and an accompanying request to proceed with SIP review while the State completes its public review and agency adoption process. EPA will not take final action on the regulations until California submits the final adopted versions to EPA as a revision to the California SIP. Final EPA approval of the regulations and incorporation of them into the California SIP would make them federally enforceable. We are providing a 30-day comment period for today's proposal.

**DATES:** Any comments must arrive by August 10, 2011.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2011-0544, by one of the following methods:

1. *Federal eRulemaking Portal:*

[www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

2. *E-mail:*

*R9truck\_dray\_OGVcomments*

3. *Mail or deliver:* Roxanne Johnson (Air U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901).

**Instructions:** All comments will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through [www.regulations.gov](http://www.regulations.gov) or e-mail.

[www.regulations.gov](http://www.regulations.gov) is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

**Docket:** The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Roxanne Johnson, EPA Region IX, (415) 947-4150, [johnson.roxanne@epa.gov](mailto:johnson.roxanne@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document, "we," "us" and "our" refer to EPA.

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