

**SUMMARY:** We, the National Park Service, are reopening the public comment period for the proposed rule to manage off-road vehicle use at Cape Hatteras National Seashore in North Carolina. The additional comment period allows more time for those who may have been affected by Hurricane Irene to submit comments.

**DATES:** Comments must be received before midnight (Eastern Daylight Time) on September 19, 2011.

**ADDRESSES:** You may submit comments, identified by the Regulation Identifier Number 1024-AD85, by either of the following methods:

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

- *Mail or hand deliver to:* Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954.

**FOR FURTHER INFORMATION CONTACT:**

Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954. *Phone:* (252) 473-2111 (ext 148).

**SUPPLEMENTARY INFORMATION:** On July 6, 2011, we published in the **Federal Register** a proposed rule to manage off-road vehicle use at Cape Hatteras National Seashore, North Carolina. (76 FR 39350) The 60-day public comment period for this proposal closed on September 6, 2011. Hurricane Irene made landfall in the area of the Seashore on Saturday August 27, 2001, resulting in wide-spread damage there, and north along the east coast into New England. Because hurricane damage may have prevented some affected persons from commenting on the rule, we are reopening the public comment period from September 9, 2011 through September 19, 2011. We do not anticipate extending the public comment period beyond this date due to a court-imposed deadline for completing the final rule. If you already commented on the rule you do not have to resubmit your comments. Also, if you submitted comments on this rule between September 6, 2011 and September 9, 2011 you do not need to resubmit them, we will consider any comments received during this period.

Comments submitted through Federal eRulemaking Portal: <http://www.regulations.gov> or submitted by mail must be entered or postmarked before midnight (Eastern Daylight Time) September 19, 2011. Comments submitted by hand delivery must be received by the close of business hours (5 p.m. Eastern Daylight Time) on September 19, 2011. Comments will not

be accepted by fax, e-mail, or in any way other than those specified above, and bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted.

All submissions must include the words "National Park Service" or "NPS" and must include the identifying number 1024-AD85. Comments received through the Federal eRulemaking portal at <http://www.regulations.gov> will be available on the *regulations.gov* Web site, usually without change. 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 your personal identifying information, we cannot guarantee that we will be able to do so. To view comments received through the Federal eRulemaking portal, go to <http://www.regulations.gov> and enter 1024-AD85 in the Keyword or ID search box.

Dated: September 6, 2011.

**Eileen Sobeck,**

*Acting Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2011-23127 Filed 9-8-11; 8:45 am]

**BILLING CODE 4310-X6-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Parts 2 and 7

[Docket No. PTO-T-2010-0073]

RIN 0651-AC49

#### **Extension of Comment Period for Notice of Proposed Rulemaking on Changes in Requirements for Specimens and for Affidavits or Declarations of Continued Use or Excusable Nonuse in Trademark Cases**

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice of extension of public comment period.

**SUMMARY:** The United States Patent and Trademark Office ("USPTO") is extending until September 23, 2011, the period for public comment on the proposal to revise the Trademark Rules of Practice and the Rules of Practice for Filings Pursuant to the Madrid Protocol to permit the USPTO to require: any information, exhibits, and affidavits or declarations deemed reasonably necessary to examine an affidavit or

declaration of continued use or excusable nonuse in trademark cases, or for the USPTO to assess the accuracy and integrity of the register; and upon request, more than one specimen in connection with a use-based trademark application, an allegation of use, an amendment to a registered mark, or an affidavit or declaration of continued use in trademark cases.

**DATES:** Comments must be received by September 23, 2011, to ensure full consideration.

**ADDRESSES:** The USPTO prefers that comments be submitted via electronic mail message to [TMFRNotices@uspto.gov](mailto:TMFRNotices@uspto.gov). Written comments may also be submitted by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, attention Cynthia C. Lynch; by hand-delivery to the Trademark Assistance Center, Concourse Level, James Madison Building-East Wing, 600 Dulany Street, Alexandria, Virginia, attention Cynthia C. Lynch; or by electronic mail message via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (<http://www.regulations.gov>) for additional instructions on providing comments via the Federal eRulemaking Portal. The comments will be available for public inspection on the USPTO's Web site at <http://www.uspto.gov>, and will also be available at the Office of the Commissioner for Trademarks, Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia. Because comments will be available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

**SUPPLEMENTARY INFORMATION:** On July 12, 2011, the USPTO published a notice of proposed rulemaking to revise the Trademark Rules of Practice (37 CFR part 2) and the Rules of Practice for Filings Pursuant to the Madrid Protocol ("Madrid Rules") (37 CFR part 7) to provide for the USPTO to require: (1) Any information, exhibits, and affidavits or declarations deemed reasonably necessary to examine a post registration affidavit or declaration of continued use in trademark cases, or for the USPTO to assess the accuracy and integrity of the register; and (2) upon request, more than one specimen in connection with a use-based trademark application, an allegation of use, an amendment to a registered mark, or an affidavit or declaration of continued use in trademark cases (76 FR 40839 (July 12, 2011)). The notice invited the public to submit written comments on the proposed rules on or before September

12, 2011. The USPTO is now extending the period for submission of public comments until September 23, 2011.

Dated: September 6, 2011.

**David J. Kappos,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2011-23129 Filed 9-8-11; 8:45 am]

**BILLING CODE 3510-16-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R09-OAR-2011-0723; FRL-9462-3]

**Partial Approval and Partial Disapproval of Air Quality Implementation Plans; California; San Joaquin Valley; Reasonably Available Control Technology for Ozone**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to partially approve and partially disapprove a revision to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or SJV) portion of the California State Implementation Plan (SIP). Specifically, we propose to partially approve and partially disapprove SJVUAPCD’s “Reasonably Available Control Technology (RACT) Demonstration for Ozone State Implementation Plan (SIP)” (RACT SIP) for the 8-hour ozone National Ambient Air Quality Standard (NAAQS) under the Clean Air Act as amended in 1990 (CAA or the Act). We are taking

comments on this proposal and plan to follow with a final action.

**DATES:** Any comments must arrive by October 11, 2011.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2011-0723, by one of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions.
2. *E-mail:* [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).
3. *Mail or deliver:* Andrew Steckel (Air-4), 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 <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 <http://www.regulations.gov> or e-mail. <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:* Generally, documents in the docket for this action are available

electronically at <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 at <http://www.regulations.gov>, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), 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:** Stanley Tong, EPA Region IX, (415) 947-4122, [tong.stanley@epa.gov](mailto:tong.stanley@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us,” and “our” refer to EPA.

**Table of Contents**

- I. The State’s Submittal
  - A. What document did the State submit?
  - B. Are there other versions of this document?
  - C. What is the purpose of the submitted RACT SIP?
- II. EPA’s Evaluation and Action
  - A. How is EPA evaluating the RACT SIP?
  - B. Does the RACT SIP meet the evaluation criteria?
  - C. What are the deficiencies?
  - D. Proposed Action and Public Comment
- III. Statutory and Executive Order Reviews

**I. The State’s Submittal**

*A. What document did the State submit?*

Table 1 lists the document proposed for partial approval and partial disapproval with the date that it was adopted and submitted by the SJV.

**TABLE 1—SUBMITTED DOCUMENT**

Local agency	Document	Adopted	Submitted
SJVUAPCD .....	Reasonably Available Control Technology (RACT) Demonstration for Ozone State Implementation Plan (SIP).	04/16/2009	06/18/2009

On December 11, 2009, EPA determined that the submittal for SJV’s RACT SIP met the completeness criteria in 40 CFR part 51 Appendix V, which must be met before formal EPA review.

*B. Are there other versions of this document?*

On October 8, 2004, SJV adopted its “Extreme Ozone Attainment Demonstration Plan” for the 1-hour ozone standard (2004 SIP). The plan was amended on October 20, 2005 and included 1-hour ozone RACT provisions. On September 5, 2008, the

State withdrew the RACT provisions from the 2004 SIP and indicated SJV would satisfy its RACT obligation for the 1-hour ozone standard with a revised 8-hour ozone RACT SIP. Subsequent to the State’s withdrawal of the RACT element, EPA published a Finding of Failure to Submit a required SIP revision for the 1-hour ozone standard (74 FR 3442, January 21, 2009). In this action, we indicated that first, offset sanctions as identified in CAA section 179(b) would apply, and next, highway funding sanctions would apply if the State failed to submit a SIP

revision which included all required RACT rules and the supporting RACT demonstrations to meet CAA sections 172(c)(1), 182(b)(2), and 182(f) within the time frames specified in the CAA. See 74 FR at 3443. On June 18, 2009, the California Air Resources Board (CARB) submitted a revised RACT SIP demonstration for the 8-hour ozone standard. EPA’s December 11, 2009 completeness determination turned off the sanctions clocks.

There is no previous version of this document in the SJV portion of the California SIP, although the SJV adopted