

manufacturing and processing establishments.

(ii) The application shall be made in accordance with the following prescribed conditions: Application shall be limited to a general surface and spot and/or crack and crevice treatment in feed-handling establishments where feed and feed products are held or processed. General surface application may be used only when the facility is not in operation provided exposed feed has been covered or removed from the area being treated. All feed-contact surfaces and equipment must be thoroughly cleaned after general surface applications. Spot and/or crack and crevice application may be used while the facility is in operation provided exposed feed is covered or removed from the area being treated prior to application. Spray concentration shall be limited to a maximum of 0.06 percent active ingredient. Contamination of feed and feed-contact surfaces shall be avoided.

\* \* \* \* \*

**§ 180.452 [Amended]**

16. Section 180.452 is amended by removing the entries for “corn, sweet, forage” and “corn, sweet, stover” from the table in paragraph (a).

**§ 180.458 [Amended]**

17. Section 180.458 is amended by removing the entry for “soybean, soapstock” from the table in paragraph (a).

**§§ 180.536 and 180.550 [Removed]**

18. Sections 180.536 and 180.550 are removed.

19. Section 180.905 is revised to read as follows:

**§ 180.905 Pesticide chemicals; exemptions from the requirement of a tolerance.**

(a) When applied to growing crops, in accordance with good agricultural practice, the following pesticide chemicals are exempt from the requirement of a tolerance:

- (1) Petroleum oils.
- (2) Piperonyl butoxide.
- (3) Pyrethrins.
- (4) Sabadilla.

(b) When applied to growing crops, in accordance with good agricultural practice, the pesticides rotenone or derris or cube roots are exempt from the requirement of a tolerance until their tolerance exemptions expire on August 11, 2012.

(c) These pesticides are not exempted from the requirement of a tolerance when applied to a crop at the time of or after harvest.

**§ 180.1035 [Removed]**

20. Section 180.1035 is removed.

[FR Doc. 2012–11063 Filed 5–8–12; 8:45 am]

**BILLING CODE 6560–50–P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Parts 13 and 22**

**[Docket No. FWS–R9–MB–2011–0054; FF09M21200–123–FXMB123209EAGL0L2]**

**RIN 1018–AX91**

**Eagle Permits; Changes in the Regulations Governing Eagle Permitting**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** We announce the extension of the public comment period for our April 13, 2012, proposed rule to revise the regulations for permits for nonpurposeful take of golden eagles (*Aquila chrysaetos*) and bald eagles (*Haliaeetus leucocephalus*) where the take is associated with, but not the purpose of, an activity. In that proposed rule, we propose to increase the maximum term for programmatic permits to 30 years and to increase permit application processing fees for such long-term permits. We are extending the public comment period to allow all interested parties an additional opportunity to comment on the proposed rule. Comments previously submitted need not be resubmitted, as we will fully consider them when preparing a final determination.

**DATES:** Electronic comments on the proposal published at 77 FR 22267, April 13, 2012, must be submitted via <http://www.regulations.gov> by 11:59 p.m. Eastern time on July 12, 2012. Comments submitted by mail must be postmarked no later than July 12, 2012.

**ADDRESSES:** You may submit comments by either of the following two methods. Please do not submit comments by both.

• *Federal eRulemaking portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS–R9–MB–2011–0054.

• *U.S. mail or hand delivery:* Public Comments Processing, Attention: FWS–R9–MB–2011–0054; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, MS 2042–PDM; Arlington, VA 22203–1610.

We will not accept email or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information that you provide. See the Public Comments section below for more information.

**FOR FURTHER INFORMATION CONTACT:**

Chief, Division of Migratory Bird Management, at 703–358–1714.

**SUPPLEMENTARY INFORMATION:**

**Background**

On April 13, 2012, we proposed revisions to the regulations governing permits for take of golden eagles (*Aquila chrysaetos*) and bald eagles (*Haliaeetus leucocephalus*), where the take is associated with, but not the purpose of, an activity (see 77 FR 22267, April 13, 2012). We proposed to extend the maximum term for a programmatic permit from 5 to 30 years, if the permit incorporates conditions requiring implementation of additional measures to ensure the preservation of eagles, if needed. This change would facilitate the responsible development of renewable energy and other projects that will be in operation for many decades while being consistent with statutory mandates protecting eagles.

The proposed rule would amend the schedule of permit fees set forth at 50 CFR 13.11 to substantially increase the fees charged for processing programmatic permit applications for such long-term permits. The permit application processing fee is proposed to be \$36,000. In addition, the regulations propose an “administration fee” based on the duration of the permits to recover our costs for monitoring and working with the permittees over the lives of the permits. The proposed administration fee ranges from \$2,600 for permits with tenures of 5 years or less to \$15,600 for 30-year permits. The regulations propose a reduced application processing fee of \$5,000 for permit applications for small wind projects and other activities not expected to have significant effects on eagles.

The proposed rule also contains provisions that would allow permits to be transferred from one party to another and to clarify that programmatic permits issued under the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d) to Federal, State, tribal, or local governmental entities provide take authorization for persons acting under the jurisdiction of the permitted government agency under certain circumstances.

We are now extending the public comment period for the proposed rule to

allow interested members of the public an additional opportunity to provide input. The comment period will close on July 12, 2012. If you have already submitted comments on the April 13, 2012, proposed rule, please do not resubmit them. We will fully consider all comments we receive when preparing a final determination on the proposed rule.

For more information about the proposed regulatory changes, please see the April 13, 2012, proposed rule, available on <http://www.regulations.gov> at Docket No. FWS-R9-MB-2011-0054 and on our Web site at: <http://www.fws.gov/migratorybirds/BaldAndGoldenEagleManagement.htm>.

### Public Comments

You may submit your comments and supporting materials by one of the methods listed in **ADDRESSES**. We request that you submit comments by only one method. We will not consider comments sent by email or fax, or written comments sent to an address other than the one listed in **ADDRESSES**. If you submit a comment via <http://www.regulations.gov>, your entire comment—including any personal identifying information—will be posted on the Web site. If you submit a hardcopy comment that includes personal identifying information, you may request that we withhold this information from public review, but we cannot guarantee that we will be able to do so. We will post all hardcopy comments on <http://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection at <http://www.regulations.gov>, or by appointment, during normal business hours, by contacting the person listed above under **FOR FURTHER INFORMATION CONTACT**.

**Authority for Part 13:** 16 U.S.C. 668a, 704, 712, 742j-1, 1374(g), 1382, 1538(d), 1539, 1540(f), 3374, 4901-4916; 18 U.S.C. 42; 19 U.S.C. 1202; 31 U.S.C. 9701.

**Authority for Part 22:** 16 U.S.C. 668-668d; 16 U.S.C. 703-712; 16 U.S.C. 1531-1544.

Dated: May 1, 2012.

### Rachel Jacobson,

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

[FR Doc. 2012-11111 Filed 5-8-12; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 120412409-2409-01]

RIN 0648-BB95

#### Control Date To Limit Excessive Accumulation of Control, Qualifying Landings History, and Referendum Eligibility in the Monkfish Fishery

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

**ACTION:** Advance notice of proposed rulemaking (ANPR); request for comments.

**SUMMARY:** At the request of the New England and Mid-Atlantic Fishery Management Councils (Councils), this notice announces a control date that may be applicable to, but not limited to, limits on the accumulation of excessive control or ownership of fishing privileges, qualifying landings history for an allocation-based management program, and referendum qualification, should one be required in the monkfish fishery. This notice is intended to promote awareness of possible rulemaking; provide notice to the public that any future accumulation of fishing privilege interests in the monkfish fishery may be affected, restricted, or even nullified; and to discourage speculative behavior in the market for fishing privileges while the Councils consider whether and how such limitations on accumulation of fishing privileges should be developed. Interested participants should locate and preserve records that substantiate and verify their ownership or control of monkfish permits and other fishing privileges, as well as monkfish landings history in Federal waters.

**DATES:** May 9, 2012, shall be known as the “control date” for the monkfish fishery and may be used as a reference date for future management measures related to the maintenance of a fishery with characteristics consistent with the Councils’ objectives and applicable Federal laws. Written comments must be received on or before 5 p.m., local time, June 8, 2012.

**ADDRESSES:** You may submit comments on this document, identified by “NOAA-NMFS-2012-0080,” by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal

[www.regulations.gov](http://www.regulations.gov). To submit comments via the e-Rulemaking Portal, first click the “submit a comment” icon, then enter “NOAA-NMFS-2012-0080” in the keyword search. Locate the document you wish to comment on from the resulting list and click on the “Submit a Comment” icon on the right of that line.

- **Mail:** Submit written comments to Daniel Morris, Acting Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, “Comments on Monkfish Accumulation Limits Control Date.”

- **Fax** (978) 281-9135; Attn: Douglas Christel.

**Instructions:** Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Douglas Christel, Fishery Policy Analyst, phone: 978-281-9141, fax: 978-281-9135.

**SUPPLEMENTARY INFORMATION:** The Monkfish FMP is jointly managed by the Councils. The Councils have managed the fishery since 1999 primarily through the allocation of days-at-sea (DAS) and establishment of trip limits for both the directed (DAS) and incidental fisheries. While scientific evidence for stock structure remains equivocal, the fishery has been managed as two stocks divided by a boundary that bisects Georges Bank. Since 2007, both stock components have been determined by stock assessments to be rebuilt (above their respective biomass targets) and not subject to overfishing.

On November 30, 2010, the Councils published a Notice of Intent to prepare an amendment (Amendment 6) to the FMP to consider modifications to the