

Constitution Avenue NW., Washington, DC, Attention Docket ID No. EPA-HQ-OW-2012-0813. Such deliveries are accepted only during the Docket Center's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-OW-2012-0813. The EPA's policy is that all comments received will be included in the public docket without change and could be made available online at www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or email. The www.regulations.gov Web site is an "anonymous access" system, which means that the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through www.regulations.gov your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If the EPA cannot read your comment because of technical difficulties and cannot contact you for clarification, the EPA might not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>. For additional instructions on submitting comments, go to the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy at the Water Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave.

NW., Washington, DC 20004. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426.

FOR FURTHER INFORMATION CONTACT: For additional information contact, Hema Subramanian, Office of Wastewater Management (4203M), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564-5041; fax number: (202) 564-6384; email address: subramanian.hema@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

Section 610 of the Regulatory Flexibility Act requires that an agency review, within 10 years of promulgation, each rule that has or will have a significant economic impact on a substantial number of small entities (SISNOSE). The EPA undertakes section 610 reviews to decide whether the agency should continue a rule unchanged, amend it, or withdraw it. We encourage small entities to provide comments on the need to change these rules, and in particular, how the rules could be made clearer, more effective, or if there is need to remove conflicting or overlapping requirements with other Federal or State regulations.

The EPA promulgated revised regulations for CAFOs on February 12, 2003 (68 FR 7175). The "2003 CAFO Rule" expanded the number of operations covered by the CAFO regulations and included requirements to address the land application of manure from CAFOs. The 2003 CAFO Rule required all CAFOs to seek NPDES permit coverage. The EPA developed a Final Regulatory Flexibility Analysis (FRFA) for the 2003 CAFO Rule. In the 2003 CAFO Rule, the EPA took several steps to minimize its impacts on small businesses, including regulatory revisions designed to focus on the largest producers, eliminating the "mixed" animal calculation for operations with more than a single animal type for determining which AFOs are CAFOs, raising the duck threshold for dry manure handling duck operations, and adopting a dry-litter chicken threshold higher than proposed.

Subsequently, a series of court decisions based on legal challenges to the rulemaking have limited the requirement for NPDES permit coverage specifically to CAFOs that discharge. In response to these court decisions, the

EPA made revisions to the CAFO regulations in 2008 (73 FR 70418) and 2012 (77 FR 44494). In promulgating the 2008 regulatory revision, the EPA certified that the 2008 rule would not have a significant adverse economic impact on a substantial number of small entities. In promulgating the 2012 regulatory revision, the 2012 rule was not subject to the RFA because the RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA) or any other statute, and the 2012 rule was not subject to notice and comment requirements. Both rules reduced the potential impact of the EPA's CAFO regulations on small entities by reducing the universe of CAFOs that must apply for NPDES permits. Although the EPA has made these subsequent revisions to the CAFO regulations, the scope of this 610 review is limited to the impacts on small entities of the 2003 CAFO Rule as amended.

II. Extension of Comment Period for the Section 610 Review of the 2003 CAFO Rule

The EPA is extending the deadline for submitting comments on the section 610 review of the CAFO Rule to March 1, 2013. The original deadline for comments, based on a 60-day comment period, was December 31, 2012. The EPA's decision responds to a request to extend the comment deadline. The EPA believes that this 60-day extension will assist in providing an adequate amount of additional time for the public to review the action and to provide written comments.

Dated: December 19, 2012.

Alexander Cristofaro,

Director, Office of Regulatory Policy and Management.

[FR Doc. 2012-31091 Filed 1-2-13; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R4-ES-2012-0020; 92220-1113-0000-C6]

RIN 1018-AX60

Endangered and Threatened Wildlife and Plants; Reclassification of the Continental United States Breeding Population of the Wood Stork From Endangered to Threatened; Correction

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule and notice of petition finding; correction.

SUMMARY: On December 26, 2012, we, the U.S. Fish and Wildlife Service, published a proposed rule and petition finding to reclassify the continental United States (U.S.) breeding population of wood stork from endangered to threatened under the Endangered Species Act of 1973, as amended (Act). In that publication, we supplied an incorrect docket number for commenters to use when they send us comments. The correct docket number is FWS-R4-ES-2012-0020.

DATES: We will accept comments received or postmarked on or before February 25, 2013. We must receive requests for a public hearing in writing, at the address shown in the **FOR FURTHER INFORMATION CONTACT** section, by February 11, 2013.

ADDRESSES: You may submit comments by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2012-0020.

- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: FWS-R4-ES-2012-0020; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Field Supervisor, North Florida Ecological Services Field Office, 7915 Baymeadows Way, Suite 200, Jacksonville, FL 32256; telephone 904-731-3336; facsimile 904-731-3045. If you use a telecommunications device for the deaf, please call the Federal Information Relay Service at 800-877-8339, 24 hours a day, 7 days a week.

SUPPLEMENTARY INFORMATION:

Correction of Error

On December 26, 2012 (77 FR 75947), we published a petition finding and proposed rule to reclassify the continental U.S. breeding population of wood stork from endangered to threatened under the Act (16 U.S.C. 1531 et seq.). In that publication, we supplied an incorrect docket number for commenters to use when they send us comments. We are publishing this notice to clarify that the correct docket number is FWS-R4-ES-2012-0020. However, if you already submitted a comment, you need not resubmit it.

Commenting Online

In our December **Federal Register** publication, we inadvertently asked commenters wishing to submit comments online via [http://](http://www.regulations.gov)

www.regulations.gov to search for our docket using the incorrect docket number, which actually did not appear anywhere on the www.regulations.gov site. However, users who searched based on key words (e.g., species name) rather than on the incorrect docket number were able to find the document and comment successfully. These comments have been placed into the correct docket. Therefore, if you already submitted a comment via www.regulations.gov, you need not resubmit it.

Commenting via U.S. Mail or Hand-Delivery

We also asked commenters submitting hardcopy comments to refer to this incorrect docket number in their comments. However, comments we received by U.S. mail or hand delivery will be routed to the correct docket. If you already submitted a hardcopy comment, you need not resubmit it.

Background

For the petition finding and proposed rule, please see our original **Federal Register** document at 77 FR 75947.

Sara Prigan,
Federal Register Liaison.

[FR Doc. 2012-31718 Filed 1-2-13; 1:55 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

RIN 0648-BB29

Atlantic Highly Migratory Species; 2006 Consolidated Highly Migratory Species Fishery Management Plan; Amendment 5

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

ACTION: Notice of public hearings.

SUMMARY: On November 26, 2012, NMFS published a proposed rule for Amendment 5 to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) in response to several shark stock assessments that were completed from 2009 to 2012. As described in the proposed rule, NMFS is proposing measures that would reduce fishing mortality and effort in order to rebuild overfished Atlantic shark species while ensuring that a limited sustainable shark fishery can be maintained consistent with our legal

obligations and the 2006 Consolidated HMS FMP as amended. The proposed measures include changes to commercial quotas and species groups, the creation of several time/area closures, a change to an existing time/area closure, an increase in the recreational minimum size restrictions, and the establishment of recreational reporting for certain species of sharks. Comments received by NMFS will be considered in the development and finalization of Amendment 5 to the 2006 Consolidated HMS FMP. This notice announces the rescheduling of the Louisiana public hearing and the addition of two public hearings in Maryland and Texas.

DATES: Written comments will be accepted until February 12, 2013. Public hearings, conference calls, and an HMS Advisory Panel meeting for the Amendment 5 proposed rule will be held from December 2012 to February 2013. See **SUPPLEMENTARY INFORMATION** for meeting dates, times, and locations.

ADDRESSES: Additional and rescheduled public hearings will be held in Maryland, Texas, and Louisiana. See **SUPPLEMENTARY INFORMATION** for dates, times, and locations.

You may submit comments on this document, identified by NOAA-NMFS-2012-0161, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov>/#!documentDetail;D=NOAA-NMFS-2012-0161, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Peter Cooper, SF1/NMFS/NOAA, Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910. Please mark the outside of the envelope "Comments on the Draft Amendment 5 to the 2006 Consolidated HMS FMP."

- *Fax:* 301-713-1917; Attn: Peter Cooper.

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 generally will be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be