

interdependent actions on the Pacific walrus on February 11, 2014. On January 31 and March 19, 2014, EPA received letters of concurrence from the USFWS and NMFS, respectively, agreeing with EPA's determinations of effects. On March 13, 2014, in response to EPA's request for a conference on the Pacific walrus, the USFWS confirmed that the proposed permit action would not jeopardize the continued existence of this species.

**Essential Fish Habitat.** The Magnuson-Stevens Fishery Conservation and Management Act requires EPA to consult with NMFS when a proposed permit action has the potential to adversely affect Essential Fish Habitat (EFH). EPA's EFH assessment is included as Appendix A to the BE. The EFH assessment concluded that the discharges authorized by the Geotechnical General Permit will not adversely affect EFH.

**Coastal Zone Management Act.** As of July 1, 2011, there is no longer a Coastal Zone Management Act (CZMA) program in Alaska. Consequently, federal agencies are no longer required to provide the State of Alaska with CZMA consistency determinations.

**Executive Order 12866.** The Office of Management and Budget exempts this action from the review requirements of Executive Order 12866 pursuant to Section 6 of that order.

**Paperwork Reduction Act.** EPA has reviewed the requirements imposed on regulated facilities in the Geotechnical General Permit and finds them consistent with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

**Regulatory Flexibility Act.** Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a federal agency must prepare an initial regulatory flexibility analysis "for any proposed rule" for which the agency "is required by section 553 of the Administrative Procedure Act (APA), or any other law, to publish general notice of proposed rulemaking." The RFA exempts from this requirement any rule that the issuing agency certifies "will not, if promulgated, have a significant economic impact on a substantial number of small entities." EPA has concluded that NPDES general permits are permits, not rulemakings, under the APA and thus not subject to APA rulemaking requirements or the RFA.

**Unfunded Mandates Reform Act.** Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires federal agencies to assess the effects of their "regulatory actions" (defined to be the same as "rules" subject to the RFA) on tribal,

state, and local governments and the private sector. However, the Geotechnical General Permit is not a "rule" subject to the RFA, and are therefore not subject to the UMRA.

**Appeal of Permit.** Any interested person may appeal the Geotechnical General Permit in the Federal Court of Appeals in accordance with section 509(b)(1) of the Clean Water Act, 33 U.S.C. 1369(b)(1). This appeal must be filed within 120 days of the General Permit issuance date. Affected persons may not challenge the conditions of the General Permit in further EPA proceedings (see 40 CFR 124.19). Instead, they may either challenge the general permit in court or apply for an individual NPDES permit.

**Authority:** This action is taken under the authority of Section 402 of the Clean Water Act as amended, 33 U.S.C. 1342. I hereby provide public notice of the final Geotechnical General Permit in accordance with 40 CFR 124.15(b).

Dated: January 21, 2015.

**Daniel D. Opalski,**

*Director, Office of Water and Watersheds, Region 10.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R10-OW-2014-0505; FRL-9922-23-Region-10]

### Notice of Status Update on the Proposed Determination for the Pebble Deposit Area, Southwest Alaska

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of status update.

**SUMMARY:** On July 21, 2014, the U.S. Environmental Protection Agency (EPA) published in the **Federal Register** a Notice of Proposed Determination, under Section 404(c) of the Clean Water Act, to restrict the use of certain waters in the South Fork Kaktuli River, North Fork Kaktuli River, and Upper Talarik Creek watersheds in Southwest Alaska as disposal sites for dredged or fill material associated with mining the Pebble deposit, a copper-, gold-, and molybdenum-bearing ore body. On September 19, 2014, EPA published in the **Federal Register** a notice extending the time period to either withdraw the Proposed Determination or to prepare the Recommended Determination until no later than February 4, 2015. As part of ongoing litigation brought by the Pebble Limited Partnership, on November 25, 2014, a Federal District Court Judge issued a preliminary

injunction that requires EPA to stop all work connected to the 404(c) proceeding, including reviewing and considering public comments. EPA is complying with the court's order and as such is not taking any steps to withdraw the Proposed Determination or to prepare a Recommended Determination while the preliminary injunction is in place.

Dated: January 21, 2015.

**Dennis J. McLerran,**

*Regional Administrator, EPA Region 10.*

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## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities: Extension Without Change of an Existing Collection; Comments Request

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Commission announces that it intends to submit to the Office of Management and Budget (OMB) a request for a three-year extension without change of the existing recordkeeping requirements under 29 CFR part 1602 *et seq.*, Recordkeeping and Reporting Requirements under Title VII, the ADA, and GINA. The Commission is seeking public comments on the proposed extension.

**DATES:** Written comments must be received on or before March 30, 2015.

**ADDRESSES:** Comments should be sent to Bernadette Wilson, Acting Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507. As a convenience to commenters, the Executive Secretariat will accept comments totaling six or fewer pages by facsimile ("FAX") machine. This limitation is necessary to assure access to the equipment. The telephone number of the fax receiver is (202) 663-4114. (This is not a toll-free number). Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TTY). (These are not toll-free numbers.) Instead of sending written comments to EEOC, you may submit comments and attachments electronically at <http://www.regulations.gov>, which is the