

#### IV. Procedural Determinations

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

This rulemaking 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 936**

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 3, 2013.

**William L. Joseph,**

*Acting Regional Director, Mid-Continent Region.*

[FR Doc. 2013-26587 Filed 11-5-13; 8:45 am]

**BILLING CODE 4310-05-P**

#### **ENVIRONMENTAL PROTECTION AGENCY**

##### **40 CFR Part 98**

[EPA-HQ-OAR-2010-0929; FRL-9902-64-OAR]

RIN 2060-AQ81

##### **Revisions to Reporting and Recordkeeping Requirements, and Proposed Confidentiality Determinations Under the Greenhouse Gas Reporting Program**

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

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

**SUMMARY:** The EPA is announcing an extension of the public comment period for the proposed rule titled “Revisions to Reporting and Recordkeeping Requirements, and Proposed Confidentiality Determinations under the Greenhouse Gas Reporting Program.”

**DATES:** The public comment period deadline for the proposed rule published on September 11, 2013 (78 FR 55994), has been extended from November 12, 2013 to November 26, 2013. Comments must be received on or before November 26, 2013.

**ADDRESSES:** You may submit your comments, identified by Docket ID No. EPA-HQ-OAR-2010-0929 by any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Email:** [GHGReportingCBI@epa.gov](mailto:GHGReportingCBI@epa.gov).
- **Fax:** (202) 566-1741.
- **Mail:** Environmental Protection Agency, EPA Docket Center (EPA/DC), Mailcode 6102T, Attention Docket ID No. EPA-HQ-OAR-2010-0929, 1200 Pennsylvania Avenue NW., Washington, DC 20460.
- **Hand Delivery:** EPA Docket Center, Public Reading Room, William Jefferson Clinton Building West, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20004. Such deliveries are only accepted during the Docket’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-OAR-2010-0929. The EPA’s policy is that all comments received 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 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 <http://www.regulations.gov> or email. Send or deliver information identified as CBI to only the mail or hand/courier delivery address listed above, attention: Docket ID No. EPA-HQ-OAR-2010-0929. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means 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 <http://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 due to technical difficulties and cannot contact you for clarification, the EPA may 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.

**Docket:** All documents in the docket are listed in the <http://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 <http://www.regulations.gov> or in hard copy at the Air Docket, EPA/DC, William Jefferson Clinton Building West, Room B102, 1301 Constitution Ave. NW., Washington, DC. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:** Carole Cook, Climate Change Division, Office of Atmospheric Programs (MC-6207J), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 343-9263; fax number: (202) 343-2342; email address: [GHGReporting@epa.gov](mailto:GHGReporting@epa.gov). For technical information, contact the Greenhouse Gas Reporting Rule Helpline at: [http://www.epa.gov/climatechange/emissions/ghgrule\\_contactus.htm](http://www.epa.gov/climatechange/emissions/ghgrule_contactus.htm). Alternatively, contact Carole Cook at 202-343-9263.

**Worldwide Web (WWW).** In addition to being available in the docket, an electronic copy of this proposal, memoranda to the docket, and all other related information will also be available through the WWW on the EPA’s greenhouse gas reporting rule Web site at <http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>.

##### **SUPPLEMENTARY INFORMATION:**

**Additional Information on Submitting Comments:** To expedite review of your comments by Agency staff, you are encouraged to send a separate copy of your comments, in addition to the copy you submit to the official docket, to Carole Cook, Climate Change Division, Office of Atmospheric Programs (MC-6207J), Environmental Protection Agency, 1200 Pennsylvania Ave. NW.,

Washington, DC 20460, telephone (202) 343-9263, email [GHGReportingCBI@epa.gov](mailto:GHGReportingCBI@epa.gov).

**Background on Today's Action.** In this action, the EPA is providing notice that it is extending the comment period on the proposed rule titled "Revisions to Reporting and Recordkeeping Requirements, and Proposed Confidentiality Determinations under the Greenhouse Gas Reporting Program," which was published on September 11, 2013. The current deadline for submitting public comment on that rule is November 12, 2013. The EPA is extending that deadline to November 26, 2013. This extension will provide the general public additional time for public participation and comments.

#### List of Subjects in 40 CFR Part 98

Environmental protection, Administrative practice and procedure, Greenhouse gases, Reporting and recordkeeping requirements.

Dated: October 31, 2013.

**Sarah Dunham,**

*Director, Office of Atmospheric Programs.*

[FR Doc. 2013-26645 Filed 11-5-13; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 223 and 224

[Docket No. 130910793-3793-01]

RIN 0648-XC867

#### Endangered and Threatened Wildlife; 90-Day Finding on a Petition To List Multiple Species of Hagfish and Sea Snakes as Threatened or Endangered Under the Endangered Species Act

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

**ACTION:** Notice of 90-day petition finding; request for information.

**SUMMARY:** We (NMFS) announce a 90-day finding on a petition to list three species of hagfish and three species of sea snakes as threatened or endangered under the Endangered Species Act (ESA). We find that the petition presents substantial information indicating that the petitioned action may be warranted for the sea snake, *A. fuscus*. We will conduct a status review of this species to determine if the petitioned action is warranted. To ensure that the status review is comprehensive, we are

soliciting scientific and commercial information pertaining to this sea snake from any interested party. We find that the petition does not present substantial scientific or commercial information indicating that the petitioned action may be warranted for the remaining five species: *Eptatretus octatrema*, *Myxine paucidens*, *Paramyxine taiwanae*, *Aipysurus apraefrontalis*, and *A. foliosquama*.

**DATES:** Information and comments on the subject action must be received by January 6, 2014.

**ADDRESSES:** You may submit comments, information, or data on this document, identified by the code NOAA-NMFS-2013-0150, by any of the following methods:

- **Electronic Submissions:** Submit all electronic comments via the Federal eRulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0150](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0150), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

- **Fax:** 301-713-4060, Attn: Lisa Manning.

**Instructions:** 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 by NMFS. 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.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. We will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous), although submitting comments anonymously will prevent us from contacting you if we have difficulty retrieving your submission. Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Copies of the petition and related materials are available upon request from the Director, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910, or online at: [www.nmfs.noaa.gov/pr/species/petition81.htm](http://www.nmfs.noaa.gov/pr/species/petition81.htm).

**FOR FURTHER INFORMATION CONTACT:** Lisa Manning, Office of Protected Resources, 301-427-8466.

**SUPPLEMENTARY INFORMATION:**

## Background

On July 15, 2013, we received a petition from the WildEarth Guardians to list 81 marine species as threatened or endangered under the ESA and to designate critical habitat under the ESA. Copies of this petition are available from us (see **ADDRESSES**). This notice addresses the three hagfishes (*Eptatretus octatrema*, *Myxine paucidens*, and *Paramyxine taiwanae*) and the three sea snakes (*Aipysurus apraefrontalis*, *A. foliosquama*, and *A. fuscus*) petitioned for listing.

Section 4(b)(3)(A) of the ESA of 1973, as amended (U.S.C. 1531 *et seq.*), requires, to the maximum extent practicable, that within 90 days of receipt of a petition to list a species as threatened or endangered, the Secretary of Commerce make a finding on whether that petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted, and to promptly publish the finding in the **Federal Register** (16 U.S.C. 1533(b)(3)(A)). When we find that substantial scientific or commercial information in a petition indicates the petitioned action may be warranted (a "positive 90-day finding"), we are required to promptly commence a review of the status of the species concerned, which includes conducting a comprehensive review of the best available scientific and commercial information. Within 12 months of receiving the petition, we must conclude the review with a finding as to whether, in fact, the petitioned action is warranted. Because the finding at the 12-month stage is based on a significantly more thorough review of the available information, a "may be warranted" finding at the 90-day stage does not prejudice the outcome of the status review.

Under the ESA, a listing determination may address a "species," which is defined to also include subspecies and, for any vertebrate species, any distinct population segment (DPS) that interbreeds when mature (16 U.S.C. 1532(16)). A joint NOAA-U.S. Fish and Wildlife Service (USFWS) policy clarifies the agencies' interpretation of the phrase "distinct population segment" for the purposes of listing, delisting, and reclassifying a species under the ESA ("DPS Policy"; 61 FR 4722; February 7, 1996). A species, subspecies, or DPS is "endangered" if it is in danger of extinction throughout all or a significant portion of its range, and "threatened" if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range (ESA