

Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by amending Class E airspace designated as an extension to Class D at Sault Ste Marie Airport, Sault Ste Marie, ON, to coincide with that portion of the control zone in Canadian airspace. Controlled airspace is needed for the safety and management of IFR operations at the airport.

Class E airspace areas are published in Paragraph 6004 of FAA Order 7400.9V, dated August 9, 2011 and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend controlled airspace at Sault Ste Marie Airport, Sault Ste Marie, ON.

### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011, is amended as follows:

*Paragraph 6004 Class E airspace areas designated as an extension to a Class D or Class E surface area*

\* \* \* \* \*

#### AGL ON E4 Sault Ste Marie, ON [Amended]

Sault Ste Marie Airport, ON, Canada  
(Lat. 46°29'06" N., long. 84°30'34" W.)

That airspace in the United States extending upward from the surface within 1.6 miles each side of the 118° bearing from Sault Ste Marie Airport extending from the

5-mile radius of the airport to 9.6 miles southeast of the airport.

Issued in Fort Worth, TX, on August 29, 2012.

**David P. Medina,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. 2012-22576 Filed 9-13-12; 8:45 am]

**BILLING CODE 4910-13-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2011-0492; FRL-9726-5]

### Approval and Promulgation of Implementation Plans; California; Determinations of Attainment for the 1997 8-Hour Ozone Standard

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing determinations relating to 1997 8-hour ozone nonattainment areas in California. First, EPA is proposing to determine that six 8-hour ozone nonattainment areas in California (Amador and Calaveras Counties, Chico, Kern County, Mariposa and Tuolumne Counties, Nevada County, and Sutter County) ("six CA areas") attained the 1997 8-hour ozone national ambient air quality standard (NAAQS) by their applicable attainment dates. Second, in making these proposed determinations for Mariposa and Tuolumne Counties and Nevada County, EPA is also proposing to grant them one-year attainment date extensions. Lastly, EPA is proposing to determine that the six CA areas and the Ventura County 8-hour ozone nonattainment area in CA have attained and continue to attain the 1997 8-hour ozone NAAQS based on the most recent three years of data. Under the provisions of EPA's ozone implementation rule, these proposed determinations suspend the requirements for these areas to submit revisions to the state implementation plan related to attainment of the 1997 8-hour ozone standard for as long as these areas continue to meet the 1997 8-hour ozone NAAQS.

**DATES:** Written comments must be received on or before October 15, 2012.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2011-0492, by one of the following methods:

1. Federal eRulemaking Portal, at [www.regulations.gov](http://www.regulations.gov), please follow the on-line instructions;

2. Email to [ungvarsky.john@epa.gov](mailto:ungvarsky.john@epa.gov);  
or

3. Mail or delivery to John Ungvarsky,  
Air Planning Office, AIR-2, U.S.  
Environmental Protection Agency,  
Region IX, 75 Hawthorne Street, San  
Francisco, California 94105-3901.

Please see the direct final rule which is  
located in the Rules section of this  
**Federal Register** for detailed  
instructions on how to submit  
comments.

**FOR FURTHER INFORMATION CONTACT:** John  
Ungvarsky, (415) 972-3963, or by email  
at [ungvarsky.john@epa.gov](mailto:ungvarsky.john@epa.gov).

**SUPPLEMENTARY INFORMATION:** For  
further information, please see the  
direct final action, of the same title,  
which is located in the Rules section of  
this **Federal Register**. EPA is approving:  
the determinations of attainment by  
applicable attainment dates; attainment  
date extensions; and determinations of  
continued attainment as a direct final  
rule without prior proposal because  
EPA views these as noncontroversial  
actions and anticipates no adverse  
comments. A detailed rationale for these  
actions is set forth in the preamble to  
the direct final rule. If EPA receives no  
adverse comments, EPA will not take  
further action on this proposed rule.

If EPA receives adverse comments,  
EPA will withdraw the direct final rule,  
and it will not take effect. EPA will  
address all public comments in a  
subsequent final rule based on this  
proposed rule. EPA will not institute a  
second comment period on this action.  
Any parties interested in commenting  
on this action should do so at this time.  
Please note that if we receive adverse  
comment on an amendment, paragraph,  
or section of this rule and if that  
provision may be severed from the  
remainder of the rule, EPA may adopt  
as final those provisions of the rule that  
are not the subject of an adverse  
comment.

Dated: August 30, 2012.

**Jared Blumenfeld,**

*Regional Administrator, EPA Region IX.*

[FR Doc. 2012-22467 Filed 9-13-12; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 101108560-2413-01]

RIN 0648-BA43

#### Fisheries of the Exclusive Economic Zone Off Alaska; Revise Maximum Retained Amounts for Groundfish in the Bering Sea and Aleutian Islands

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

**ACTION:** Proposed rule; request for  
comments.

**SUMMARY:** NMFS proposes a regulatory  
amendment to increase the maximum  
retainable amounts (MRAs) of  
groundfish using arrowtooth flounder  
(*Atheresthes stomias*) and Kamchatka  
flounder (*Atheresthes evermanni*) as  
basis species in the Bering Sea and  
Aleutian Islands management area  
(BSAI). This action would allow the use  
of BSAI arrowtooth flounder and  
Kamchatka flounder as basis species for  
the retention of species closed to  
directed fishing and is necessary to  
improve retention of otherwise  
marketable groundfish in these BSAI  
fisheries. This action also includes four  
regulatory amendments related to  
harvest management of Kamchatka  
flounder.

Three amendments are necessary to  
manage Kamchatka flounder in the same  
manner as arrowtooth flounder in the  
BSAI and to aid in the recordkeeping,  
reporting, and catch accounting of  
flatfish in the BSAI. The fourth  
amendment is necessary to provide  
NMFS the flexibility to allocate  
arrowtooth flounder and Kamchatka  
flounder (and other species in the  
future) to the Western Alaska  
Community Development Quota (CDQ)  
Program in the annual harvest  
specifications. Through this proposed  
action, NMFS intends to promote the  
goals and objectives of the Magnuson-  
Stevens Fishery Conservation and  
Management Act, the Fishery  
Management Plan for Groundfish of the  
Bering Sea and Aleutian Islands  
Management Area, and other applicable  
law.

**DATES:** Comments must be received by  
October 15, 2012.

**ADDRESSES:** You may submit comments  
on this document, identified by NOAA-  
NMFS-2012-0044, by any of the  
following methods:

- **Electronic Submissions:** Submit all  
electronic public comments via the  
Federal eRulemaking Portal Web site at  
<http://www.regulations.gov>. To submit  
comments via the e-Rulemaking Portal,  
first click the "submit a comment" icon,  
then enter NOAA-NMFS-2012-0044 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:** Address written comments to  
Glenn Merrill, Assistant Regional  
Administrator, Sustainable Fisheries  
Division, Alaska Region NMFS, Attn:  
Ellen Sebastian. Mail comments to P.O.  
Box 21668, Juneau, AK 99802-1668.

- **Fax:** Address written comments to  
Glenn Merrill, Assistant Regional  
Administrator, Sustainable Fisheries  
Division, Alaska Region NMFS, Attn:  
Ellen Sebastian. Fax comments to 907-  
586-7557.

- **Hand delivery to the Federal  
Building:** Address written comments to  
Glenn Merrill, Assistant Regional  
Administrator, Sustainable Fisheries  
Division, Alaska Region NMFS, Attn:  
Ellen Sebastian. Deliver comments to  
709 West 9th Street, Room 420A,  
Juneau, AK.

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.

Electronic copies of the  
Environmental Assessment/Regulatory  
Impact Review/Initial Regulatory  
Flexibility Analysis (EA/RIR/IRFA)  
prepared for this action may be obtained  
from <http://www.regulations.gov> or from  
the Alaska Region Web site at <http://alaskafisheries.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jeff  
Hartman, 907-586-7442, or Tom  
Pearson, 907-481-1780.

**SUPPLEMENTARY INFORMATION:**