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**Mark E. Matthews,**

*Deputy Commissioner for Services and Enforcement.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[CGD05–06–024]

RIN 1625–AA08

#### **Special Local Regulations for Marine Events; Rappahannock River, Essex County, Westmoreland County, Layton, VA; Correction**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects the preamble to a proposed rule published in the **Federal Register** of April 3, 2006, regarding a temporary special local regulation for “2006 Rappahannock River Boaters Association Spring and Fall Radar Shootout”, power boat races to be held on the waters of the Rappahannock River near Layton, VA. This correction changes the date by which comments and related material must reach the Coast Guard, from June 2, 2006 to May 3, 2006. The change is necessary because the June 2 date does not allow adequate time to issue a final rule before June 3, 2006, the date of the first event affected by the proposed rule.

#### **FOR FURTHER INFORMATION CONTACT:**

Dennis Sens, Marine Events Coordinator, Fifth Coast Guard District, at (757) 398–6204.

#### **Correction**

In proposed rule FR Doc. E6–4788, beginning on page 16525 in the issue of April 3, 2006, make the following correction in the **DATES** section. On page 16525 in the second column, change “June 2, 2006” to “May 3, 2006.”

Dated: April 4, 2006.

**S.G. Venckus,**

*Chief, Office of Regulations and Administrative Law.*

[FR Doc. E6–5208 Filed 4–7–06; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 721

[EPA–HQ–OPPT–2005–0015; FRL–7779–7]

RIN 2070–AJ18

#### **Perfluoroalkyl Sulfonates; Proposed Significant New Use Rule; Extension of Comment Period**

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

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

**SUMMARY:** This document extends the public comment period established for the Proposed Significant New Use Rule for Perfluoroalkyl Sulfonates in the **Federal Register** issued on March 10, 2006 (71 FR 12311) (FRL–7740–6). In that proposed rule, EPA proposed to amend a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) to include certain perfluoroalkyl sulfonates (PFAS) substances. EPA proposed to amend the PFAS SNUR at 40 CFR 721.9582 by adding a new Table 3 containing the remaining PFAS chemicals on the TSCA Inventory that are not already regulated by the SNUR. EPA believes that action is necessary because these chemical substances may be hazardous to human health and the environment. The required notice will provide EPA the opportunity to evaluate intended significant new uses and associated activities before they occur and, if necessary, to prohibit or limit those uses or activities.

**DATES:** Comments must be received on or before May 10, 2006.

**ADDRESSES:** Follow the detailed instructions as provided under **ADDRESSES** in the **Federal Register** document of March 10, 2006 (71 FR 12311).

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (202) 554–1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

*For technical information contact:* Amy Breedlove, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (202) 564–9823; e-mail address: [breedlove.amy@epa.gov](mailto:breedlove.amy@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. General Information

The Agency included in the proposed rule a list of those who may be potentially affected by this action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under the **FOR FURTHER INFORMATION CONTACT**.

### II. What Action is EPA taking?

This document extends the public comment period established in the **Federal Register** issued on March 10, 2006 (71 FR 12311). In that document, EPA proposed to amend a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) to include certain perfluoroalkyl sulfonates (PFAS) substances. EPA proposed to amend the PFAS SNUR at 40 CFR 721.9582 by adding a new Table 3 containing the remaining PFAS chemicals on the TSCA Inventory that are not already regulated by the SNUR. EPA is hereby extending the comment period, which was set to end on April 10, 2006, to May 10, 2006.

### III. What is the Agency's Authority for Taking this Action?

Section 5(a)(2) of TSCA (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a “significant new use.” EPA must make this determination by promulgating a rule after considering all relevant factors, including those listed in TSCA section 5(a)(2). These factors include the projected production volume of a chemical substance; the extent to which a use changes or increases the type, form, magnitude, or duration of exposure to the substance; and the reasonably anticipated manner of producing, processing, distributing, or disposing of the substance. EPA construes the statute to allow consideration of any other relevant factors, in addition to those listed in section 5(a)(2). Once EPA determines that a use of a chemical substance is a significant new use, and promulgates a SNUR, section 5(a)(1)(B) of TSCA requires persons to submit a Significant New Use Notice (SNUN) to EPA at least 90 days before they manufacture, import, or process the chemical substance for that use.

### IV. Do Any Statutory and Executive Order Reviews Apply to this Action?

No. This action is not a rulemaking, it merely extends the date by which public comments on a proposed rule must be submitted to EPA on a proposed rule that previously published

in the **Federal Register** of March 10, 2006 (71 FR 12311). For information about the applicability of the statutory and executive order reviews to the proposed rule, please refer to the discussion in Unit XII. of that document (71 FR 12311).

#### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: April 4, 2006.

**Charles M. Auer,**

*Director, Office of Pollution Prevention and Toxics.*

[FR Doc. 06-3400 Filed 4-5-06; 1:17 pm]

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### 49 CFR Part 604

[Docket No. FTA-2005-22657]

RIN 2132-AA85

#### Charter Service

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Final notice forming a negotiated rulemaking advisory committee.

**SUMMARY:** Pursuant to the direction contained in the Joint Explanatory Statement of the Committee of Conference, for section 3023(d), "Condition on Charter Bus Transportation Service" of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, FTA is establishing a committee to develop, through negotiated rulemaking procedures, recommendations for improving the regulation regarding the prohibition of FTA grant recipients from providing charter bus service. The committee will consist of persons who represent the interests affected by the proposed rule, i.e., charter bus companies, public transportation operators, and other interested parties. This document lists the committee members, issues to be addressed by the committee, and proposed meeting dates, time, and location.

**DATES:** *Effective Date:* April 10, 2006.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding accessibility, directions, or administrative procedures, please contact Elizabeth Martineau at (202) 366-1966 or Linda Lasley at (202) 366-4063.

#### SUPPLEMENTARY INFORMATION:

##### I. Statutory Authority

Section 3023 of SAFETEA-LU amends 49 U.S.C. 5323(d) to state that "the Secretary shall bar a recipient or an operator from receiving federal transit assistance in an amount the Secretary considers appropriate if the Secretary finds a pattern of violations of the [charter bus] agreement." Congressional conference report language on Section 3023 requests that FTA "initiate a negotiated rulemaking seeking public comment on the regulations implementing section 5323(d)" and to consider the issues listed below:

1. Are there potential limited conditions under which public transit agencies can provide community-based charter services directly to local governments and private non-profit agencies that would not otherwise be served in a cost-effective manner by private operators?

2. How can the administration and enforcement of charter bus provisions be better communicated to the public, including use of internet technology?

3. How can the enforcement of violations of the charter bus regulations be improved?

4. How can the charter complaint and administrative appeals process be improved?

##### II. Negotiated Rulemaking

As requested by conference report language on Section 3023 of SAFETEA-LU, FTA will conduct the negotiated rulemaking. The Negotiated Rulemaking Act of 1990, Pub. L. 101-648 (5 U.S.C. 561, *et seq.*) (NRA) establishes a framework for the conduct of a negotiated rulemaking and encourages agencies to use negotiated rulemaking to enhance the rulemaking process. FTA will form an advisory committee consisting of representatives of the affected interests for the purpose of reaching consensus, if possible, on a proposed rulemaking.

##### A. The Concept of Negotiated Rulemaking

Usually FTA develops a rulemaking proposal using its own staff and consultant resources. The concerns of affected parties are made known through means such as various informal contacts and advance notices of proposed rulemaking published in the **Federal Register**. After the notice of proposed rulemaking is published for comment, affected parties may submit arguments and data defining and supporting their positions with regard to the issues in the proposed rule. All comments from affected parties are

directed to the Department's docket (<http://dms.dot.gov>) for the rulemaking. In general, there is limited communication among parties representing different interests. As Congress noted in the RA, such regulatory development procedures may "discourage the affected parties from meeting and communicating with each other, and may cause parties with different interest to assume conflicting and antagonistic positions \* \* \*" (Sec. 2(2) of *Pub. L. 101-648*). Congress also stated "adversarial rulemaking deprives the affected parties and the public of the benefits of face-to-face negotiations and cooperation in developing and reaching agreement on a rule. It also deprives them of the benefits of shared information, knowledge, expertise, and technical abilities possessed by the affected parties." (Sec. 2(3) of *Pub. L. 101-648*).

Using negotiated rulemaking to develop the proposed rule is fundamentally different. Negotiated rulemaking is a process by which a proposed rule is developed by a committee composed of representatives of those interests that will be significantly affected by the rule. Decisions are made by some form of consensus, which generally requires a measure of concurrence among the interests represented.<sup>1</sup> An agency desiring to initiate the process does so by carefully identifying all interests potentially affected by the rulemaking under consideration. To help in this identification process, the agency publishes a notice, such as this one, which identifies a preliminary list of interests and requests public comment on that list. Following receipt of the comments, the agency establishes an advisory committee representing these various interests to negotiate a consensus on the terms of a proposed rule. The committee is chartered under the Federal Advisory Committee Act (5 U.S.C. App. 2) (FACA). Representation on the committee may be "direct", that is, each member represents a specific interest, or may be "indirect," that is, through coalitions of parties formed for this purpose. The establishing agency has a member of the committee representing the Federal Government's own set of interests. A facilitator or mediator can assist the negotiated rulemaking advisory committee by

<sup>1</sup> The negotiated Rulemaking Act defines "consensus" as "unanimous concurrence among the interests represented on a negotiated rulemaking committee \* \* \* unless such committee (A) agrees to define such term to mean a general but not unanimous concurrence; or (B) agrees upon another specified definition." 5 U.S.C. 562(2).