the disk or CD–ROM the specific information that is proprietary or confidential.

Under 14 CFR 11.35(b), when we are aware of proprietary information filed with a comment, we do not place it in the docket. We hold it in a separate file to which the public does not have access, and place a note in the docket that we have received it. If we receive a request to examine or copy this information, we treat it as any other request under the Freedom of Information Act (5 U.S.C. 552). We process such a request under the DOT procedures found in 49 CFR part 7.

Background

On August 17, 2009, the Federal Aviation Administration (FAA) published Notice No. 09–09, Certification of Turbojets (74 FR 41522). Comments to that document were to be received on or before November 16, 2009.

By letter dated October 29, 2009, Cessna Aircraft Company requested that the FAA extend the comment period for Notice No. 09–09 an additional 30 days. In their request, Cessna explains that the ''far reaching implications of the proposal create the need for more time to generate a reasonable and proper response.''

The FAA concurs with the petitioner's request for an extension of the comment period on Notice No. 09–09. This will also allow other commenters who may not have anticipated an extension of the comment period additional time to submit their comments. Absent unusual circumstances, the FAA does not anticipate any further extension of the comment period for this rulemaking.

Extension of Comment Period

In accordance with § 11.47(c) of Title 14, Code of Federal Regulations, the FAA has reviewed the petition made by Cessna Aircraft Company for extension of the comment period to Notice No. 09–09. The petitioner has shown a substantive interest in the proposed rule and good cause for the extension. The FAA has determined that extension of the comment period is consistent with the public interest and that good cause exists for taking this action.

Accordingly, the comment period for Notice No. 09–09 is extended until December 16, 2009.

Issued in Washington, DC, on November 10, 2009.

Pamela Hamilton-Powell,

Director, Office of Rulemaking.

[FR Doc. E9–27363 Filed 11–13–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2009–1076; Directorate Identifier 2009–CE–019–AD]

RIN 2120–AA64

Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Various Model MU–2B Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2006–17–01, AD 2006–15–07, AD 2000–02–25, and AD 97–25–02, which apply to certain Mitsubishi Heavy Industries, Ltd. (MHI) various Model MU–2B airplanes. An FAA-led MU–2B safety evaluation resulted in the standardization of the MU–2B specific training and the FAA-accepted pilot operating checklists through a special federal aviation regulation (SFAR). MHI revised the airplane flight manuals (AFMs) to align them with the information in that training and the checklists. In addition, incorporating all AFM revisions up to and including this latest AFM revision will incorporate all AFM compliance actions required by the four above-mentioned ADs. This proposed AD would retain from AD 2006–17–01 the inspection of the engine torque indication system and possible recalibration of the torque pressure transducers and would require incorporating all revisions up to and including the latest revisions of the AFM. We are proposing this AD to correct inconsistencies in critical operating procedures between the MU–2B specific training, the FAA-accepted pilot operating checklists, and the AFMs. This condition, if not corrected, could result in operators using FAA-accepted pilot operating checklists that differ from the AFM in certain critical operating procedures, which could result in failure to properly operate the airplane. This failure could lead to loss of control.

DATES: We must receive comments on this proposed AD by December 31, 2009.

ADDRESSES: Use one of the following addresses to comment on this proposed AD:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- For service information identified in this proposed AD, contact Mitsubishi Heavy Industries America, Inc., 4951 Airport Parkway, Suite 800; Addison, Texas 75001; telephone: (972) 934–5480; fax: (972) 934–5488; Internet: *http://www.mu-2aircraft.com* or *http://www.turbineair.com.*

FOR FURTHER INFORMATION CONTACT: Al Wilson, Flight Test Pilot, FAA, Fort Worth Airplane Certification Office (ACO), 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone: (817) 222–5146; fax: (817) 222–5960.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number, ''FAA–2009–1076; Directorate Identifier 2009–CE–019–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive concerning this proposed AD.

Discussion

This proposed AD results from inconsistencies in critical operating procedures between the MU–2B specific training, the FAA-accepted pilot operating checklists, and the AFMs. In 2005, the FAA, Aircraft Certification and Flight Standards Service, conducted an MU–2B safety evaluation. The FAA found that MU–2B specific training was not required for all operators and, when provided, was not standardized. The safety evaluation also revealed that many FAA-accepted pilot operating checklists used by operators and

trainers had no regulatory basis and were locally produced, lacking standardization for normal, abnormal, and emergency flight operations.

In 2008, the FAA issued SFAR No. 108, Mitsubishi MU–2B Series Airplane Special Training, Experience, and Operating Requirements. The SFAR requires standardization for critical operating procedures in training and in the FAA-accepted pilot operating checklists. MHI revised the AFMs to align them with the information in the current SFAR. The FAA requested Mitsubishi Heavy Industries, Ltd. make changes to the AFM for each model approved under Type Certificate Data Sheets (TCDS) A10SW and A2PC.

Incorporating all AFM revisions up to and including this latest AFM revision will incorporate the AFM actions in other ADs, as follows:

• AD 97–25–02, Amendment 39–10225 (62 FR 63830, December 3, 1997), requires revising the Limitations section of the airplane AFM to prohibit positioning the power levers below the flight idle stop while the airplane is in flight.

• AD 2000–02–25, Amendment 39–11543 (65 FR 5422, February 4, 2000), requires revising the AFM to include requirements for activating the airframe pneumatic deicing boots.

• AD 2006–15–07, Amendment 39–14687 (71 FR 41116, July 20, 2006), requires revising the Limitations section of the AFM to prevent improper rigging of the propeller feathering linkage.

• AD 2006–17–01, Amendment 39–14722 (71 FR 47697, August 18, 2006), requires inspecting the engine torque indication system, recalibrating the torque pressure transducers as required, and revising the Limitations section of the AFM to include power assurance charts. The one-time inspection of and possible recalibration is not part of the AFM revisions.

This condition, if not corrected, could result in operators using FAA-accepted pilot operating checklists that differ from the AFM in certain critical operating procedures, which could result in failure to properly operate the airplane. This failure could lead to loss of control.

FAA's Determination and Requirements of the Proposed AD

We are proposing this AD because we evaluated all information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design. This proposed AD would supersede AD 97–25–02, AD 2000–02–25, AD 2006–15–07, and AD 2006–17–01 with a new AD that would:

• Require incorporating all revisions up to and including the latest revisions of the AFM; and

• Retain from AD 2006–17–01 the requirement of the engine torque indication system inspection and possible recalibration.

Costs of Compliance

We estimate that this proposed AD would affect 355 airplanes.

We estimate the following costs to accomplish the proposed engine torque indication system inspection, including the recalibration and ground check if needed. This is a retained cost from AD 2006–17–01:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
5 work-hours × $80 = $400	Not applicable	$400	$142,000

We estimate the following costs to do the proposed AFM revisions:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1 work-hour × $80 per hour = $80	Not applicable	$80	$28,400

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket that contains the proposed AD, the regulatory evaluation, any comments received, and other information on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647–5527) is located at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 97–25–02, Amendment 39–10225 (62 FR 63830, December 3, 1997); AD 2000–02–25, Amendment 39–11543 (65 FR 5422, February 4, 2000); AD 2006–15–07, Amendment 39–14687 (71 FR 41116, July 20, 2006); and AD 2006–17–01, Amendment 39–14722 (71 FR 47697, August 18, 2006), and adding the following new AD:

Mitsubishi Heavy Industries, Ltd.: Docket No. FAA–2009–1076; Directorate Identifier 2009–CE–019–AD.

Comments Due Date

(a) We must receive comments on this airworthiness directive (AD) action by December 31, 2009.

Affected ADs

(b) This AD supersedes AD 97–25–02, Amendment 39–10225; AD 2000–02–25, Amendment 39–11543; AD 2006–15–07, Amendment 39–14687; and AD 2006–17–01, Amendment 39–14722.

Applicability

(c) This AD applies to the following airplane models and serial numbers that are certificated in any category:

(1) Mitsubishi airplanes listed in Type Certificate Data Sheet (TCDS) A10SW:

Models	Serial Nos.
MU–2B–25, MU–2B–26, MU–2B–26A, MU–2B–35, MU–2B–36, MU–2B–36A, MU–2B–40, MU–2B–60	All serial numbers.

(2) Mitsubishi airplanes listed in TCDS A2PC:

Models	Serial Nos.
MU–2B, MU–2B–10, MU–2B–15, MU–2B–20, MU–2B–25, MU–2B–26, MU–2B–30, MU–2B–35, MU–2B–36	All serial numbers.

Unsafe Condition

(d) This AD results from inconsistencies in critical operating procedures between the MU–2B specific training, the FAA-accepted pilot operating checklists, and the airplane flight manuals (AFM). MHI revised the airplane flight manuals (AFMs) to align them with the information in that training and the checklists. We are proposing this AD to correct the inconsistencies described above. This condition, if not corrected, could result in operators using FAA-accepted pilot operating checklists that differ from the AFM in certain critical operating procedures, which could result in failure to properly operate the airplane. This failure could lead to loss of control.

Compliance

(e) Do the following unless already done:

(1) Within 100 hours time-in-service (TIS) after September 22, 2006 (the effective date retained from AD 2006–17–01), inspect the engine torque indication system and, before further flight after the inspection, recalibrate the torque pressure transducers as required. For airplanes listed in TCDS A2PC, follow Mitsubishi Heavy Industries, Ltd. (MHI) MU–2 Service Bulletin No. 233A, dated January 14, 1999. For airplanes listed in TCDS A10SW, follow MHI MU–2 Service Bulletin No. 095/77–002, dated July 15, 1998. This inspection requires the use of the power assurance charts referenced in Table 1 below:

TABLE 1—POWER ASSURANCE CHART FROM AD 2006–17–01

Airplane model affected	Date and version of AFM	Page number from AFM
MU–2B	AFM, Section 6, Revision 9, dated January 14, 1999	6–34.
MU–2B–10	AFM, Section 6, Revision 9, dated January 14, 1999	6–19.
MU–2B–15	AFM, Section 6, Revision 9, dated January 14, 1999	6–19.
MU–2B–20	AFM, Section 6, Revision 9, dated January 14, 1999	6–20.
MU–2B–25	AFM, Section 6, Reissued March 25, 1986; and	6–18 and 6–19.
	AFM, Section 6, Revision 9, dated January 14, 1999	6–19.
MU–2B–26	AFM, Section 6, Reissued March 25, 1986; and	6–17 and 6–18.
	AFM, Section 6, Revision 9, dated January 14, 1999	6–19.
MU–2B–26A	AFM, Section 6, Reissued March 25, 1986	6–17 and 6–18.
MU–2B–30	AFM, Section 6, Revision 10, dated January 14, 1999	6–19.
MU–2B–35	AFM, Section 6, Reissued March 25, 1986; and	6–18 and 6–19.
	AFM, Section 6, Revision 9, dated January 14, 1999	6–19.
MU–2B–36	AFM, Section 6, Revision 9, dated January 14, 1999	6–20.
MU–2B–36A	AFM, Section 6, Reissued February 28, 1986	6–20 and 6–21.
MU–2B–40	AFM, Section 6, Reissued March 25, 1986	6–17 and 6–18.
MU–2B–60	AFM, Section 6, Reissued September 24, 1985	6–19 and 6–20.

(2) Within the next 50 hours TIS after the effective date of this AD or within the next 6 months after the effective date of this AD, whichever occurs first, incorporate all revisions up to and including the latest revisions as published in the list of effective pages of the applicable AFM listed in Table 2 and Table 3. Assure that the applicable AFM contains each page, matching all the page numbers and page dates, listed in the Effective Pages listing for that AFM:

TABLE 2—TCDS A10SW

Airplane model	AFM name	Effective pages list
MU–2B–25	MU–2B–25 Airplane Flight Manual K Model, Document Number MR–0156–1.	all revised pages up to and including revision 11, dated March 10, 2009, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–26	MU–2B–26 Airplane Flight Manual M Model, Document Number MR–0160–1.	all revised pages up to and including revision 11, dated March 10, 2009, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–26A	MU–2B–26A Airplane Flight Manual P Model, Document Number MR–0194–1.	all revised pages up to and including revision 13, dated March 10, 2009, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–35	Not Available	Contact the type certificate holder for the latest revision of the FAA-approved AFM.
MU–2B–36	Not Available	Contact the type certificate holder for the latest revision of the FAA-approved AFM.
MU–2B–36A	MU–2B–36A Airplane Flight Manual N Model, Document Number MR–0196–1.	all revised pages up to and including revision 15, dated March 10, 2009, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–40	MU–2B–40 Airplane Flight Manual SOLITAIRE Model, Document Number MR–0271–1.	all revised pages up to and including revision 13, dated March 10, 2009, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–60	MU–2B–60 Airplane Flight Manual MARQUISE Model, Document Number MR–0273–1.	all revised pages up to and including revision 15, dated March 10, 2009, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.

Note: The AFM revisions are not available for Models MU–2B–35 and MU–2B–36 under TCDS A10SW because the only Model MU–2B–35 airplane was destroyed and subsequently removed from the registry. The only Model MU–2B–36 airplane manufactured was converted to a Model MU–2B–36A. Mitsubishi Heavy Industries, Ltd. has indicated they have no intention of putting either model back in production. There are no other serial numbers eligible for either model, foreign or domestic. These models are still eligible under the type certificate, so if Mitsubishi Heavy Industries, Ltd. does put either model back in production, contact them for an FAA-approved AFM.

TABLE 3—TCDS A2PC

Airplane model	AFM name	Effective pages list
MU–2B	MU–2B Airplane Flight Manual, YET 67026A	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–10	MU–2B–10 Airplane Flight Manual, YET 86400	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–15	MU–2B–15 Airplane Flight Manual, YET 68038A	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–20	MU–2B–20 Airplane Flight Manual, YET 68034A	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–25	MU–2B–25 Airplane Flight Manual, YET 71367A	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–26	MU–2B–26 Airplane Flight Manual, YET 74129A	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–30	MU–2B–30 Airplane Flight Manual, YET 69013A	all revised pages up to and including revision 14, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–35	MU–2B–35 Airplane Flight Manual, YET 70186A	all revised pages up to and including revision 14, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.
MU–2B–36	MU–2B–36 Airplane Flight Manual, YET 74122A	all revised pages up to and including revision 13, dated November 29, 2007, as listed on page 1 and page 2 of the "Effective Pages" in the AFM.

Alternative Methods of Compliance (AMOCs)

(f) The Manager, FAA, Fort Worth Airplane Certification Office (ACO), has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Al Wilson, Flight Test Pilot, FAA, Fort Worth ACO, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone: (817) 222–5146; fax: (817) 222–5960. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

Related Information

(g) To get copies of the AFM revisions referenced in this AD, contact Mitsubishi Heavy Industries America, Inc., 4951 Airport Parkway, Suite 800, Addison, Texas 75001; telephone: (972) 934–5480; fax: (972) 934–5488; Internet: *http://www.mu-2aircraft.com* or *http://www.turbineair.com.* To view the AD docket, go to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at *http://www.regulations.gov.*

Issued in Kansas City, Missouri, on November 9, 2009.

Kim Smith,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9–27389 Filed 11–13–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 922

[Docket No. 090122044–91248–01]

RIN 0648–AX58

Marine Sanitation Device Discharge Regulations for the Florida Keys National Marine Sanctuary

AGENCY: Office of National Marine Sanctuaries (ONMS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Proposed rule; request for public comments.

SUMMARY: NOAA proposes to amend the regulations implementing the Florida Keys National Marine Sanctuary (FKNMS or sanctuary) to eliminate the exemption that allows discharges of biodegradable effluent incidental to vessel use and generated by marine sanitation devices, and to require marine sanitation devices be locked to prevent discharges. This action builds upon the Environmental Protection Agency's creation of a no discharge zone for the state waters of the FKNMS. This action will help protect the Florida Keys ecosystem from potentially harmful vessel sewage discharges and will eliminate at least one contributing factor to declining water quality within the FKNMS. Improved water quality is necessary for the maintenance and enhancement of the sanctuary's biological resources, as well as of the recreational opportunities they provide. A draft environmental assessment has been prepared for this proposed action pursuant to the National Environmental Policy Act.

DATES: Comments on the proposed rule and the draft environmental assessment will be accepted if received on or before February 17, 2010.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Submit electronic comments via the Federal eRulemaking Portal, FDMS Docket Number NOAA–NOS–2009–0181;
- *Mail:* Sean Morton, Acting Superintendent, Florida Keys National Marine Sanctuary, 33 East Quay Road, Key West, Florida 33040.
- *Instructions:* All comments received are a part of the public record and will be generally posted to *http://www.regulations.gov* without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA will accept anonymous comments (enter N/A in the required fields to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. Comments will be posted at the end of the public comment period.

The draft environmental assessment is available for download at *http://floridakeys.noaa.gov/.*

FOR FURTHER INFORMATION CONTACT: Sean Morton, Acting Superintendent, Florida Keys National Marine Sanctuary, 33 East Quay Road, Key West, Florida 33040.

SUPPLEMENTARY INFORMATION:

Electronic Access:

This **Federal Register** document is also accessible via the Internet at [INSERT GPO ACCESS URL].

Statutory and Regulatory History of the FKNMS

The National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1431 *et seq.*) authorizes the Secretary of Commerce to designate and protect areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities as national marine sanctuaries. Management of national marine sanctuaries has been delegated by the Secretary of Commerce to NOAA's Office of National Marine Sanctuaries. The primary objective of the NMSA is to protect marine resources, such as coral reefs, sunken historical vessels or unique habitats.

The FKNMS was designated by Congress in 1990 through the Florida Keys National Marine Sanctuary Protection Act (FKNMSPA, Pub. L. 101–605) and extends approximately 220 nautical miles southwest from the southern tip of the Florida peninsula, and is composed of both state and Federal waters. The sanctuary's marine ecosystem supports over 6,000 species of plants, fishes, and invertebrates, including the Nation's only living coral reef that lies adjacent to the continent. The area includes one of the largest seagrass communities in this hemisphere. The primary goal of the sanctuary is to protect the marine resources of the Florida Keys.

Other goals of the sanctuary include facilitating human uses that are consistent with the primary objective of resource protection as well as educating the public about the Florida Keys marine environment. Attracted by this subtropical diversity, tourists spend more than thirteen million visitor days in the Florida Keys each year. In addition, the region's natural and man-made resources provide recreation and livelihoods for approximately 80,000 residents. The region also has some of the most significant maritime heritage and historical resources of any coastal community in the nation.

NOAA issued final regulations and a final management plan in 1997 for the FKNMS (62 FR 32161; June 12, 1997). Those regulations were designed to protect the fragile and nationally significant marine resources of the Florida Keys ecosystem. In doing so, these regulations established a series of fully protected marine zones, managed certain human activities, and established a permitting system for allowing some activities that would otherwise be prohibited. Sanctuary-wide prohibitions include restrictions on discharges into the sanctuary, disturbing the seafloor of the sanctuary, and taking certain marine species.

Currently, NOAA prohibits vessels from discharging or depositing materials or other matter in the sanctuary (15 CFR 922.163(a)(4)). Exceptions to this prohibition include discharging or depositing: (1) Fish, fish parts, and bait during traditional fishing operations; (2) cooling water or engine exhaust; (3) water generated by routine vessel operations (e.g., deck wash and graywater), excluding oily wastes from bilge pumping; and (4) biodegradable effluent from marine sanitation devices. However, in certain protected zones within the sanctuary, including