

# Notices

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Wednesday, February 22, 2012

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2010-0103]

#### Dow AgroScience LLC; Availability of Petition, Plant Pest Risk Assessment, and Environmental Assessment for Determination of Nonregulated Status of Corn Genetically Engineered for Herbicide Tolerance

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice; extension of comment period.

**SUMMARY:** We are extending the comment period for a petition received from Dow AgroScience LLC seeking a determination of nonregulated status of corn designated as DAS-40278-9, which has been genetically engineered for increased resistance to broadleaf herbicides in the phenoxy auxin group (such as the herbicide 2,4-D) and resistance to grass herbicides in the aryloxyphenoxypropionate acetyl coenzyme A carboxylase inhibitor group (such as quizalofop herbicides). This action will allow interested persons additional time to prepare and submit comments on the petition, our plant pest risk assessment, and our draft environmental assessment for the proposed determination of nonregulated status.

**DATES:** We will consider all comments that we receive on or before April 27, 2012.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2010-0103-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2010-0103, Regulatory Analysis and Development, PPD, APHIS, Station

3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2010-0103> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

The petition, draft environmental assessment, and plant pest risk assessment are also available on the APHIS Web site at [http://www.aphis.usda.gov/brs/aphisdocs/09\\_23301p.pdf](http://www.aphis.usda.gov/brs/aphisdocs/09_23301p.pdf), [http://www.aphis.usda.gov/brs/aphisdocs/09\\_23301p\\_dea.pdf](http://www.aphis.usda.gov/brs/aphisdocs/09_23301p_dea.pdf), and [http://www.aphis.usda.gov/brs/aphisdocs/09\\_23301p\\_dpra.pdf](http://www.aphis.usda.gov/brs/aphisdocs/09_23301p_dpra.pdf).

**FOR FURTHER INFORMATION CONTACT:** Mr. Evan Chestnut, Policy Analyst, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 851-3910, email:

[evan.a.chestnut@aphis.usda.gov](mailto:evan.a.chestnut@aphis.usda.gov). To obtain copies of the petition, draft environmental assessment, or plant pest risk assessment, contact Ms. Cindy Eck at (301) 851-3892, email: [cynthia.a.eck@aphis.usda.gov](mailto:cynthia.a.eck@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** On December 27, 2011, we published in the **Federal Register** (76 FR 80872-80873, Docket No. APHIS-2010-0103) a notice<sup>1</sup> advising the public that the Animal and Plant Health Inspection Service (APHIS) has received a petition from Dow AgroScience LLC seeking a determination of nonregulated status of corn (*Zea mays*) designated as event DAS-40278-9, which has been genetically engineered for increased resistance to broadleaf herbicides in the phenoxy auxin group (such as the herbicide 2,4-D) and resistance to grass herbicides in the aryloxyphenoxypropionate acetyl

<sup>1</sup>To view the notice, supporting documents, and any comments we have received, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2010-0103>.

coenzyme A carboxylase inhibitor group (such as quizalofop herbicides).

Comments on the Dow petition, our plant pest risk assessment, and our draft environmental assessment for the proposed determination of nonregulated status were required to be received on or before February 27, 2012. We are extending the comment period on Docket No. APHIS-2010-0103 for an additional 60 days, ending April 27, 2012. This action will allow interested persons additional time to prepare and submit comments on the Dow petition, our plant pest risk assessment, and our draft environmental assessment for the proposed determination of nonregulated status.

**Authority:** 7 U.S.C. 7701-7772 and 7781-7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 15th day of February 2012.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2012-4081 Filed 2-21-12; 8:45 am]

**BILLING CODE 3410-34-P**

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### San Bernardino National Forest, Mountaintop Ranger District, California, Mitsubishi South Quarry Expansion Project

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** Mitsubishi Cement Corporation is submitting to the San Bernardino National Forest and San Bernardino County, for permitting, a Plan of Operations and Reclamation Plan for the South Quarry. The South Quarry will total approximately 153.6 acres consisting of a 128-acre quarry, a 2.7 acre landscape berm, a 22.2-acre haul road 1.8 miles in length, and a temporary construction road of 0.7 acres. The South Quarry and haul road will be located almost entirely (147.0 acres) on 440 acres of unpatented claims owned by Mitsubishi Cement Corporation on the San Bernardino National Forest with approximately 6.6 acres of the haul road located on Mitsubishi Cement Corporation fee land where it enters the existing East Pit.