

regulations issued by the Secretary pursuant to this Act.” See 30 U.S.C. 1253(a)(1) and (7). On the basis of these criteria, the Secretary of the Interior conditionally approved the Utah program on January 21, 1981. You can find background information on the Utah program, including the Secretary’s findings, the disposition of comments, and the conditions of approval of the Utah program in the January 21, 1981, **Federal Register** (46 FR 5899). You can also find later actions concerning Utah’s program and program amendments at 30 CFR 944.15 and 944.30.

## II. Description of the Proposed Amendment

By letter dated June 25, 2012, Utah sent us a proposed amendment to its program (SATS #UT-049-FOR, Administrative Record No. OSM-2012-0015-0002) under SMCRA (30 U.S.C. 1201 *et seq.*). Utah sent the proposed amendment in response to an October 2, 2009 letter (Administrative Record No. OSM-2012-0015-0003) that OSM sent to Utah in accordance with 30 CFR 732.17(c). The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES**.

We announced receipt of the proposed amendment in the September 5, 2012, **Federal Register** (77 FR 54491), provided an opportunity for a public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (Administrative Record No. OSM-2012-0015-0001). Because no one requested a public hearing or meeting, none was held. The public comment period ended on October 5, 2012. We received comments from three Federal agencies.

During our review of the amendment, we identified concerns relating to two provisions of the Utah Administrative Code (UAC) at R643-874-160 and R643-875-200. Both provisions specify contractor eligibility criteria for abandoned mine land reclamation projects (general requirements and noncoal reclamation requirements, respectively). The UAC references Federal regulations for those contractor eligibility criteria. The references are currently incorrect due to changes in the Federal Program approved on December 3, 2007 (72 FR 68029) and November 14, 2008 (73 FR 67630). We notified Utah of the concerns by email dated October 4, 2012 (Administrative Record No. OSM-2012-0015-0009). Utah responded in a letter dated November 2, 2012, by submitting a supplemental amendment proposal (Administrative Record No. OSM-2012-0015-0008).

Utah now proposes revisions to update R643-874-160 and R643-875-200 to reference the current Federal contractor eligibility requirements. Specifically, Utah proposes to replace its reference to 30 CFR “773.15(b)(1),” which no longer exists, with reference to 30 CFR “773.12 through 773.14.”

## III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the Utah program.

### *Electronic or Written Comments*

If you submit written comments, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed above (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

### *Public Availability of Comments*

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available in the electronic docket for this rulemaking at [www.regulations.gov](http://www.regulations.gov). While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

## VI. Procedural Determinations

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

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

### *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 944

Intergovernmental relations, Surface mining, Underground mining.

Dated: November 7, 2012.

**Allen D. Klein,**

*Director, Western Region.*

[FR Doc. 2012-29970 Filed 12-11-12; 8:45 am]

**BILLING CODE 4310-05-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2011-1062]

RIN 1625-AA09

#### Drawbridge Operation Regulation; Bear Creek, Dundalk, MD

**AGENCY:** Coast Guard, DHS.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Coast Guard is withdrawing its proposed rule concerning the proposed change to regulations governing the operation of the Baltimore County highway bridge at Wise Avenue across Bear Creek, mile 3.4, between Dundalk and Sparrows Point, MD. The proposed change would have altered the current four hour advance notice requirement for a bridge opening to a 48-hour advance notice for a bridge opening.

**DATES:** The notice of proposed rulemaking is withdrawn on December 12, 2012.

**ADDRESSES:** The docket for this withdrawn rulemaking is available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, 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. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG-2011-1062 in the "Search" box, and then clicking "Search."

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Bill H. Brazier, Bridge Management Specialist, Fifth Coast Guard District, telephone 757-271-1016, email [Bill.H.Brazier@uscg.mil](mailto:Bill.H.Brazier@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:**

**Background**

On February 2, 2012, we published a Notice of Proposed Rulemaking entitled "Drawbridge Operation Regulation; Bear Creek, Dundalk, MD" in the **Federal Register** (77 FR 5201). The rulemaking concerned would alter the current four hour advance notice requirement for a bridge opening, found in 33 CFR 117.543(b), to a 48-hour advance notice.

Baltimore County requested to reduce the necessity for bridge openings based on bridge logs provided over a two year period. However, prior to the publication of the notice of proposed rulemaking the bridge owner displayed on the Wise Avenue Bridge signage that stated a 48-hour advance notice was required to open the draw bridge. This signage portrayed improper operational information since the current operation regulation had not changed. The Coast Guard determined the signage that stated a 48-hour advance notice was required for a bridge opening was misleading to the public and navigational users.

**Withdrawal**

Baltimore County, responsible for the operation of the Wise Avenue Bridge, had requested advance notification of vessel openings. Following publication of the notice of proposed rulemaking, the Coast Guard received two comments opposing changes to the regulation. Both comments felt the 48-hour advance notice was unnecessary and too burdensome to the waterway users. One of the comments stated signage had been placed on the bridge providing information misleading to the public. Baltimore County admitted establishing signage on the bridge prior to the publication of the notice of proposed rulemaking citing the bridge would open with a 48-hour notice prior to approval from the regulatory process. The second comment stated that a 24-hour advance notice would be better

than the proposed 48 hours. Due to the bridge owner displaying misleading and inaccurate signage during a public comment period and prior to any change in the bridge opening regulations, the Coast Guard is withdrawing the proposed rule. The owner may, however, request a new notice of proposed rulemaking for a future period in which the inaccurate signage is not posted.

**Authority**

We issue this notice of withdrawal under the authority of 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

Dated: December 4, 2012.

**Steven H. Ratti,**

*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*

[FR Doc. 2012-30001 Filed 12-11-12; 8:45 am]

**BILLING CODE 9110-04-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 60 and 63**

[EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9762-1]

**RIN 2060-AR62**

**Reconsideration of Certain New Source and Startup/Shutdown Issues: National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units**

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

**ACTION:** Extension of public comment period.

**SUMMARY:** The EPA is announcing that the period for providing public comments on the November 30, 2012, proposed "Reconsideration of Certain New Source and Startup/Shutdown Issues: National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units" is being extended by 7 days.

**DATES:** The public comment period for the proposed rule published November

30, 2012 (77 FR 71323), is extended by 7 days to January 7, 2013.

**ADDRESSES:** *Comments.* Written comments on the proposed rule may be submitted to EPA electronically, by mail, by facsimile, or through hand delivery/courier. Please refer to the proposal for the addresses and detailed instructions.

*Docket.* Publicly available documents relevant to this action are available for public inspection either electronically in <http://www.regulations.gov> or in hard copy at the EPA Docket Center, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying.

*World wide Web.* The EPA Web sites for this rulemaking are at: <http://www.epa.gov/airquality/powerplanttoxics/actions.html> or <http://www.epa.gov/ttn/atw/utility/utilitypg.html>.

**FOR FURTHER INFORMATION CONTACT:** For the national emission standards for hazardous air pollutants (NESHAP) action: Mr. William Maxwell, Energy Strategies Group, Sector Policies and Programs Division (D243-01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; Telephone number: (919) 541-5430; Fax number: (919) 541-5450; Email address: [maxwell.bill@epa.gov](mailto:maxwell.bill@epa.gov). For the new source performance standard (NSPS) action: Mr. Christian Fellner, Energy Strategies Group, Sector Policies and Programs Division, (D243-01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; Telephone number: (919) 541-4003; Fax number (919) 541-5450; Email address: [fellner.christian@epa.gov](mailto:fellner.christian@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comment Period**

The Office of the Federal Register inadvertently published the November 30, 2012, proposed "Reconsideration of Certain New Source and Startup/Shutdown Issues: National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units" in the "Rules and Regulations" section of the **Federal Register**, rather than in the "Proposed Rules" section. The Office of Federal