

ACTION: Reopening and extending the comment period.

SUMMARY: Due to comments received from the Association of American Railroads (AAR) during the initial comment period, FRA is reopening the comment period for its proposal published on September 21, 2010. The proposal, if adopted, would amend, line by line, FRA's schedules of civil penalties issued as appendices to FRA's rail safety regulations, as well as other guidance. AAR stated in its comments on the proposal that FRA did not give the railroad industry adequate time to review all the penalties listed in the proposal to determine if they match the severity-scale criteria, which are also listed in the proposal. Therefore, FRA is reopening and extending the comment period in order to allow AAR more time to review the penalties in the severity scale and to identify and comment more fully on which individual penalties do not in its opinion satisfy the severity-scale criteria. FRA also seeks further comments from other interested parties that were unable to comment during the initial comment period. The comment period is reopened until February 1, 2011.

DATES: Written comments must be received by February 1, 2011. Comments received after that date will be considered to the extent possible without incurring additional delay or expense.

ADDRESSES: *Comments:* Comments related to this Docket No. FRA 2006–25274, Notice No. 3, may be submitted by any of the following methods:

- *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.
- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. Note that all comments received will be posted without change to <http://www.regulations.gov> including any personal information provided.

Docket: For access to the docket to read background documents or comments received go to <http://www.regulations.gov> at any time or to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Ron Hynes, Director, Office of Safety Compliance and Assurance, Office of Railroad Safety, FRA, 1200 New Jersey Avenue, SE., Washington, DC 20590 (telephone 202–493–6404), ronald.hynes@dot.gov; or Brian Roberts, Trial Attorney, Office of Chief Counsel, FRA, 1200 New Jersey Avenue, SE., Mail Stop 10, Washington, DC 20590 (telephone 202–493–6052), brian.roberts@dot.gov.

SUPPLEMENTARY INFORMATION: FRA's proposal to amend, line by line, FRA's schedules of civil penalties as well as other guidance was published on September 21, 2010 (75 FR 57598). The initial comment period closed on October 21, 2010. During this 30-day comment period, FRA received comments from both AAR and The American Short Line and Regional Railroad Association. In its comments, AAR provided examples of penalties in the proposal that it believed did not match the severity-scale criteria. However, AAR also stated that FRA did not give it adequate time to review all the penalties in the proposal and determine whether they matched the severity-scale criteria. Therefore, FRA is reopening the comment period to allow AAR an opportunity to comment on these perceived inconsistencies more fully. FRA will address all other comments made during the initial and additional comment period in the final statement of agency policy.

Privacy Act: FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all comments received into any agency docket by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the edition of the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit <http://regulations.gov/search/footer/privacyanduse.jsp>.

Issued in Washington, DC, on November 29, 2010.

Karen J. Rae,

Deputy Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 100804324–0489–01]

RIN 0648–BA01

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Comment Period Extension

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

ACTION: Proposed rule; extension of a comment period.

SUMMARY: NMFS is extending the comment period for the proposed rule to implement the 2011–2012 Biennial Specifications and Management Measures; Amendment 16–5; and Amendment 23 to the Pacific Coast Groundfish Fishery Management Plan (PCGFMP). The comment period is being extended to provide additional opportunity for public comment.

DATES: Comments must be received no later than 5 p.m., local time on January 4, 2011.

ADDRESSES: You may submit comments, identified by the RIN number 0648–BA01, by any of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>.
- *Fax:* 206–526–6736, Attn: Sarah Williams.
- *Mail:* William Stelle, Administrator, Northwest Region, NMFS, 7600 Sand Point Way, NE., Seattle, WA 98115–0070, Attn: Sarah Williams.

Instructions: All comments received are a part of the public record and will generally be 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.

National Marine Fisheries Service (NMFS) will accept anonymous

comments (enter N/A if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Information relevant to the proposed rule, which includes a draft environmental impact statement (DEIS), a regulatory impact review (RIR), and an initial regulatory flexibility analysis (IRFA) are available for public review during business hours at the office of the Pacific Fishery Management Council (Council), at 7700 NE Ambassador Place, Portland, OR 97220, *phone*: 503-820-2280. Copies of additional reports referred to in the proposed rule document may also be obtained from the Council.

FOR FURTHER INFORMATION CONTACT:

Sarah Williams, *phone*: 206-526-4646, *fax*: 206-526-6736, or *e-mail*: sarah.williams@noaa.gov.

SUPPLEMENTARY INFORMATION: The proposed rule that published on November 3, 2010 (75 FR 67810), establishes the 2011–2012 harvest specifications and management measures for groundfish taken in the U.S. exclusive economic zone off the

coasts of Washington, Oregon, and California consistent with the Mangunson-Stevens Fishery Conservation and Management Act and the Pacific Coast Groundfish Fishery Management Plan (PCGFMP). The proposed rule revises the harvest specifications for groundfish species and species complexes and the collection of management measures in the groundfish fishery regulations that are intended to keep the total catch within those harvest specifications. The proposed rule also includes regulations to implement Amendment 16–5 to the PCGFMP. Amendment 16–5 would create a new rebuilding plan for Petrale sole, which was declared overfished on February 9, 2010, revise the existing rebuilding plans, and revise status determination criteria and a harvest control rule for flatfish. Finally, the proposed rule is consistent with and partially implements Amendment 23 to the PCGFMP. Amendment 23 would make the PCGFMP consistent with the revised National Standard 1 Guidelines (74 FR 3178, January 16, 2009).

The proposed rule published in the **Federal Register** with a 30-day

comment period that closed on December 3, 2010. NMFS announced at the November 2010 Council meeting that the 2011–2012 biennial specifications and management measures originally schedule to be in place January 1, 2011, would be delayed to allow for the preparation of the analytical documents needed to support final action. Because of this delay many of the specifications in the proposed rule will not be effective for the beginning of 2011 and instead specifications from 2010 will be effective for the beginning of 2011, until the final rule is in place. Because of the extra time now available due to the delay in final action, NMFS is extending the comment period on the proposed rule through January 4, 2011 to allow the public and the Council additional time to comment.

Dated: November 30, 2010.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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