

## Docket, Hearing

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**From:** Diedrich, Cecilia <cdiedrich@oceana.org>  
**Sent:** Tuesday, February 12, 2019 12:08 PM  
**To:** Docket, Hearing  
**Subject:** [External\_Sender] Extension Request for Certain Notices, Comment Periods and Public Hearings Listed in Appendix (02-07-2019)  
**Attachments:** Extension Request for Certain Notices, Comment Periods and Public Hearings Listed in Appendix (02-07-2019).pdf

NRC Rulemaking:

The email below and the attachment were originally sent to [chairman@nrc.gov](mailto:chairman@nrc.gov). Please respond with the appropriate contact at the NRC for general comment extension request inquiries.

Sincerely,  
Cecilia Diedrich

Cecilia Diedrich | Law Clerk



1025 Connecticut Ave. NW, Suite 200

Washington, DC, 20036

D 202.467.1991 | T 202.833.3900

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**From:** Diedrich, Cecilia  
**Sent:** Thursday, February 7, 2019 2:01 PM  
**To:** 'John.M.Mulvaney@omb.eop.gov' <[John.M.Mulvaney@omb.eop.gov](mailto:John.M.Mulvaney@omb.eop.gov)>  
**Cc:** 'customer@ferc.gov' <[customer@ferc.gov](mailto:customer@ferc.gov)>; 'mkhour@fmc.gov' <[mkhour@fmc.gov](mailto:mkhour@fmc.gov)>; 'hq-publicaffairs@usace.army.mil' <[hq-publicaffairs@usace.army.mil](mailto:hq-publicaffairs@usace.army.mil)>; 'constituentsaffairs@oc.usda.gov' <[constituentsaffairs@oc.usda.gov](mailto:constituentsaffairs@oc.usda.gov)>; 'TheSec@doc.gov' <[TheSec@doc.gov](mailto:TheSec@doc.gov)>; 'the.secretary@hq.doe.gov' <[the.secretary@hq.doe.gov](mailto:the.secretary@hq.doe.gov)>; 'DHSSecretary@hq.dhs.gov' <[DHSSecretary@hq.dhs.gov](mailto:DHSSecretary@hq.dhs.gov)>; 'feedback@ios.doi.gov' <[feedback@ios.doi.gov](mailto:feedback@ios.doi.gov)>; 'dot.comments@dot.gov' <[dot.comments@dot.gov](mailto:dot.comments@dot.gov)>; 'press@treasury.gov' <[press@treasury.gov](mailto:press@treasury.gov)>; 'press@epa.gov' <[press@epa.gov](mailto:press@epa.gov)>; 'a-and-r-docket@epa.gov' <[a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov)>; 'chairman@nrc.gov' <[chairman@nrc.gov](mailto:chairman@nrc.gov)>  
**Subject:** Extension Request for Certain Notices, Comment Periods and Public Hearings Listed in Appendix (02-07-2019)

Director Mulvaney:

In the attachment and in the text below, please find a request that the Office of Management and Budget and the copied agencies extend, by at least 45 days, the timeframes for commenting on certain notices and proposed rules and attending certain public hearings listed in the Appendix.

If you need additional information or would like to discuss the request further, please contact Lara Levison, Senior Director – Federal Policy, at [LLevison@oceana.org](mailto:LLevison@oceana.org), Alicia Cate, Senior Counsel, at [acate@oceana.org](mailto:acate@oceana.org), and/or Cecilia Diedrich, Law Clerk, at [cdiedrich@oceana.org](mailto:cdiedrich@oceana.org).

Sincerely,  
Cecilia Diedrich



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February 7, 2019

Via email to [John.M.Mulvaney@omb.eop.gov](mailto:John.M.Mulvaney@omb.eop.gov)

The Honorable Mick Mulvaney  
Director  
Office of Management and Budget  
725 17th Street NW  
Washington, DC 20503

RE: Request for 45-Day Extension of Timeframes to Comment on Certain Notices and Proposed Rules and to Attend Certain Public Hearings Due to the Partial Government Shutdown

Director Mulvaney:

The undersigned organizations request that the Office of Management and Budget and the agencies copied on this letter extend the timeframes for commenting on certain notices and proposed rules and for attending certain public hearings listed in the attached Appendix. The Appendix lists notices and proposed rules related to environmental measures with comment periods that either closed during the shutdown or were noticed during the shutdown. The Appendix also lists public hearings related to environmental issues that were scheduled during the shutdown. Due to the 35-day partial government shutdown that occurred from midnight EST on December 22, 2018 until January 25, 2019, we request extensions of at least 45 days, and ideally 60 days, for comment periods and hearing schedules listed in the Appendix, to begin as of Monday, January 28, 2019.

Under the Administrative Procedure Act (“APA”), each of the copied agencies are required to engage the public in the rulemaking process, and it is essential that sufficient time is provided for public comments.<sup>[1]</sup> To make the notices, proposed rules and public hearings listed in the Appendix effective, members of the public must be given access and enough time to evaluate all the information, much of which is technical in nature, and to draft constructive comments. Additional input will lead to greater public understanding of certain rules or decisions and will assist the agencies in fully analyzing the potential effects of the proposed rules.

Due to the disruption of the partial government shutdown, the opportunity for meaningful public participation has been limited and, in some instances, prevented. The hindrance of public involvement has occurred for a variety of reasons, including agency staff being unable to answer questions, provide information, and assist the public during the comment period; public difficulty in accessing information on disabled government websites; public confusion about the impact of the shutdown; government malfunction in receiving and review of comments; and intermittent operation of the website regulations.gov. Due to these encumbrances, the federal government has not effectively engaged the public in the rulemaking process during the partial government shutdown, including for the notices, proposed rules and public hearings listed in the Appendix.

In addition to APA compliance, the Office of the Federal Register set forth procedures to comply with the Antideficiency Act during a government shutdown; these procedures provide that only “documents directly related

to the performance of governmental functions necessary to address imminent threats to the safety of human life or protection of property” be published.<sup>[2]</sup> Thus, for any notices, proposed rules or public hearings that were not necessary to address imminent threats to safety or protection of property and yet were still noticed during the government shutdown, the comment periods and public hearings should be re-noticed with an extension of the timeframe for public participation.

In conclusion, because of the shutdown, the copied agencies must comply with the APA and the Antideficiency Act. The copied agencies must provide adequate time and access to government resources for the public to review and comment substantively on notices and proposed rules and/or to participate in public hearings. For these reasons, the undersigned organizations request that the Office of Management and Budget and the copied agencies extend the public comment period and hearing schedules listed in the Appendix by at least 45 days, and ideally 60 days, to begin as of the date the government reopened on January 28, 2019.

In no event, however, should the copied agencies fail to meet statutorily- or judicially-imposed deadlines. If providing the full opportunity for public comment discussed in this letter would make it impossible to meet such deadlines, the relevant agency must provide the maximum feasible comment period and engage in additional outreach to ensure that all stakeholders are aware of the opportunity for comment and the deadline for providing input.

Thank you for your consideration of our request. We welcome discussing this matter with you or your staff at any time and we look forward to hearing from you.

Sincerely,

Oceana  
Alaska Wilderness League  
American Littoral Society  
Animal Welfare Institute  
Animal Wellness Action  
Association of Zoos and Aquariums  
Bold Alliance  
Cetacean Society International  
Clean Water Action  
Climate Hawks Vote  
Coastwalk/California Coastal Trail Association  
Defenders of Wildlife  
Earth Law Center  
Earthworks  
Endangered Species Coalition  
Environmental Investigation Agency  
Environmental Protection Network  
Friends of the Earth US  
Gotham Whale  
Healthy Gulf (aka Gulf Restoration Network)  
Inland Ocean Coalition  
International Fund for Animal Welfare  
International Marine Mammal Project of Earth Island Institute  
International Union, UAW  
Los Padres ForestWatch  
Marine Mammal Alliance Nantucket (MMAN)  
Mission Blue / Sylvia Earle Alliance  
National Parks Conservation Association  
Natural Resources Defense Council

Northeastern Minnesotans for Wilderness  
NY4WHALES  
Ocean Conservation Research  
Physicians for Social Responsibility  
Public Citizen  
Shark Stewards  
SkyTruth  
SolEd Benefit Corp  
Southern Utah Wilderness Alliance  
The Wild Oyster Project  
The Wilderness Society  
Waterkeeper Alliance  
Western Organization of Resource Councils  
Whale and Dolphin Conservation

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[chairman@nrc.gov](mailto:chairman@nrc.gov)

**Appendix**  
**Notices and Proposed Rules Related to Environmental Measures with Comment Periods**  
**That Either Closed During the Shutdown or Were Noticed During the Shutdown**

**and**  
**Public Hearings Related to Environmental Issues That Were Scheduled During the Shutdown**

Nov. 7, 2018
Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Industry-Funded Monitoring NMFS, NOAA 83 FR 55665 Doc. No. 2018-24087 Comments close Dec. 24, 2018
November 14, 2018
Energy Conservation Program: Test Procedures for Consumer Warm Air Furnaces, Notice of Petition for Rulemaking Department of Energy 83 FR 56746 Doc. No. 2018-24697 Comments close Jan. 14, 2019
November 15, 2018
Significant New Use Rules on Certain Chemical Substances EPA 83 FR 57634 Doc. No. 2018-24380 Comments close Dec. 31, 2018
Adopting Subpart Ba Requirements in Emission Guidelines for Municipal Solid Waste Landfills; Notice of Public Hearing EPA 83 FR 57387 Doc. No. 2018-24964 Comments close Jan. 3, 2019
November 21, 2018
Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Candy Darter FWS 83 FR 59232 Doc. No. 2018-25315 Comments close Jan. 22, 2019
Notice of Intent to Prepare an Integrated Activity Plan and Environmental Impact Statement for the National Petroleum Reserve in Alaska BLM 83 FR 58785 Doc. No. 2018-25336 Comments close Jan. 7, 2019
November 23, 2018
Air Quality Designation for the 2010 Sulfur Dioxide (SO <sub>2</sub> ) EPA 83 FR 59350 Doc. No. 2018-25477 Comments close Jan. 24, 2019
Air Plan Approval; Missouri; Emissions Inventory for the Missouri Jackson County and Jefferson County 2010 Sulfur Dioxide National Ambient Air Quality Standard Nonattainment Areas EPA 83 FR 59348 Doc. No. 2018-25553

Comments close Dec. 24, 2018
Rural Development Environmental Regulation for Rural Infrastructure Projects Rural Business-Cooperative Service, Rural Housing Service, Rural Utilities Service, Farm Service Agency, USDA 83 FR 59318 Doc. No. 2018-25522 Comments close Dec. 24, 2018
November 26, 2018
Air Plan Approval; OR: Lane County Outdoor Burning and Enforcement Procedure Rules EPA 83 FR 60386 Doc. No. 2018-25679 Comments close Dec. 26, 2018
November 27, 2018
Hazardous Materials: Harmonization with International Standards Pipeline and Hazardous Material Safety Administration 83 FR 60970 Doc. No. 2018-24620 Comments close Jan. 28, 2019
November 28, 2018
General Provisions; Revised List of Migratory Birds FWS 83 FR 61288 Doc. No. 2018-25634 Comments close Jan. 28, 2019
November 29, 2018
Clean Air Plans; 2008 8-Hour Ozone Nonattainment Area Requirements; San Joaquin Valley, California EPA 83 FR 61346 Doc. No. 2018-25885 Comments close Dec. 31, 2018
Implementation of Amended Section 203(a)(1)(B) of the Federal Power Act FERC 83 FR 61338 Doc. No. 2018-25369 Comments close Dec. 31, 2018
November 30, 2018
Approval and Promulgation of Implementation Plans; Arkansas; Approval of Regional Haze State Implementation Plan Revision and Partial Withdrawal of Federal Implementation Plan EPA 83 FR 62204 Doc. No. 2018-26073 Comments close Dec. 31, 2018
Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces EPA 83 FR 61574 Doc. No. 2018-26083 Comments close Jan. 14, 2019
December 3, 2018
Outer Continental Shelf Air Regulations; Consistency Update for Delaware

EPA  
83 FR 62283  
Doc. No. 2018-25886  
Comments close Jan. 2, 2019

December 4, 2018

State of North Dakota Underground Injection Control Program; Class I, III, IV, and V Primacy Revisions

EPA  
83 FR 62536  
Doc. No. 2018-25893  
Comments close Jan. 8, 2019  
Public hearing Jan. 8, 2019

Air Plan Approval; Massachusetts; Air Emissions Inventory, Emissions Statements, Source Registration, and Emergency Episode Planning Provisions

EPA  
83 FR 62532  
Doc. No. 2018-26283  
Comments close Jan. 3, 2019

Air Plan Approval; Texas; Emission Statements

EPA  
83 FR 62532  
Doc. No. 2018-26297  
Comments close Jan 3, 2019

December 6, 2018

Approval and Promulgation of Implementation Plans: New York Ozone Section 185

EPA  
83 FR 62771  
Doc. No. 2018-26475  
Comments close Jan. 7, 2019

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Requirements for 2008 8-Hour Ozone Standard

EPA  
83 FR 62774  
Doc. No. 2018-26479  
Comments close Jan. 7, 2019

Revision of the Agency's Privacy Act Regulations for EPA-63

EPA  
83 FR 62757  
Doc. No. 2018-26214  
Comments close Jan. 7, 2019

Greater Sage-Grouse Proposed Resource Management Plan Amendments (six)

BLM  
83 FR 63523, 63524, 63525, 63527, 63528, 63528  
Doc Nos. 2018-26699, 2018-26701, 266700, 26698, 26709  
Protests close Jan. 9, 2019

December 7, 2018

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Tomah Armory Landfill Superfund Site

EPA  
83 FR 63146  
Doc. No. 2018-26492  
Comments close Jan. 7, 2019



December 10, 2018
Alabama: Authorization of State Hazardous Waste Management Program Revision EPA 83 FR 63461 Doc. No. 2018-26357 Comments close Jan. 9, 2019
Significant New Use Rules on Certain Chemical Substances; Reopening of Comment Period EPA 83 FR 63460 Doc. No. 2018-26685 Comments close Jan. 9, 2019
Public Comment for the NOAA Research and Development Plan NOAA 83 FR 63482 Doc. No. 2018-26131 Comments close Feb. 8, 2019
December 12, 2018
List of Approved Spent Fuel Storage Casks: Holtec International HI-STORM 100 Multipurpose Canister Cask System, Certificate of Compliance No. 1014, Amendment Nos. 11 and 12 Nuclear Regulatory Commission 83 FR 63814 Doc. No. 2018-26878 Comments close Jan. 11, 2019
December 13, 2018
Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to National Park Service's Research and Monitoring Activities in Southern Alaska National Parks NMFS, NOAA 83 FR 64078 Doc. No. 2018-26741 Comments close Jan. 14, 2019
Air Plan Approval; Michigan; Revisions to Part 1 General Provisions Rules EPA 83 FR 64056 Doc. No. 2018-26924 Comments close Jan. 14, 2019
Pacific Ocean at Naval Base Guam Telecommunication Site, Finegayan Small Arms Range, on the Northwestern Coast of Guam; Danger Zone Engineers Corps 83 FR 64053 Doc. No. 2018-27028 Comments close Jan. 14, 2019
December 17, 2018
Licensing, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries Federal Maritime Commission 83 FR 64502 Doc. No. 2018-27062 Comments close Jan. 18, 2019
December 18, 2018
List of Approved Spent Fuel Storage Casks: NAC International Multi-Purpose Canister Storage System, Certificate of Compliance No. 1025, Amendment Nos. 7 and 8 Nuclear Regulatory Commission

<p>83 FR 64750  Doc. No. 2018-27286  Comments close Jan. 17, 2019</p>
<p>Air Plan Approval; California; Antelope Valley Air Quality Management District; Optional General SIP Category  EPA  83 FR 64795  Doc. No. 2018-27362  Comments close Jan. 17, 2019</p>
<p>Approval and Promulgation of Air Quality State Implementation Plans; California; Plumas County; Moderate Area Plan for the 2012 PM2.5  EPA  83 FR 64774  Doc. No. 2018-27257  Comments close Jan. 17, 2019</p>
<p>Safety Zone; Oregon Inlet, Dare County, NC  Coast Guard  83 FR 64771  Doc. No. 2018-27385  Comments close Jan. 17, 2019</p>
<p>December 19, 2018</p>
<p>Approval of Operating Permits Program; Kansas; Reporting Emission Data, Emission Fees and Process Information  EPA  83 FR 65115  Doc. No. 2018-27457  Comments close Jan. 18, 2019</p>
<p>North Dakota: Authorization of State Hazardous Waste Management Program Revisions  EPA  83 FR 65116  Doc. No. 2018-27423  Comments close Jan. 18, 2019</p>
<p>Filing of Contracts and Purchase Agreements Associated With the Export of Natural Gas  Department of Energy  83 FR 65111  Doc. No. 2018-27450  Comments close Jan. 18, 2019</p>
<p>Endangered and Threatened Wildlife and Plants; 12-Month Findings on Petitions to List 13 Species as Endangered or Threatened Species  FWS  83 FR 65127  Doc. No. 2018-27467  Comments close date not listed</p>
<p>North Dakota: Authorization of State Underground Storage Tank Program Revisions  EPA  83 FR 65117  Doc. No. 2018-27421  Comments close Jan. 18, 2019</p>
<p>December 20, 2018</p>
<p>Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units  EPA</p>

<p>83 FR 65424  Doc. No. 2018-27052  Comments close Jan. 19, 2019</p>
<p>Environmental Protection Agency Acquisition Regulation (EPAAR) Clause Update for Submission of Invoices  EPA  83 FR 65328  Doc. No. 2018-27478  Comments close Jan. 19, 2019</p>
<p>December 21, 2018</p>
<p>Anchorage Ground; Sabine Pass, TX  Coast Guard  83 FR 65609  Doc. No. 2018-27699  Comments close Jan. 22, 2019</p>
<p>Air Plan Approval; Illinois; NAAQS and VOC Updates  EPA  83 FR 65617  Doc. No. 2018-27609  Comments close Jan. 22, 2019</p>
<p>Review of Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units  EPA  83 FR 65617  Doc. No. 2018-27668  Public Hearing Jan. 8, 2019</p>
<p>December 26, 2018</p>
<p>Approval of State Plans for Designated Facilities and Pollutants; Kansas; Sewage Sludge Incineration Units  EPA  83 FR 66209  Doc. No. 2018-27906  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Ohio; Redesignation of the Cleveland Area to Attainment of the 2012 Annual Standard for Fine Particulate Matter  EPA  83 FR 66200  Doc. No. 2018-27746  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Ohio; Open Burning Rules  EPA  83 FR 66197  Doc. No. 2018-27777  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Ohio; Removal of Obsolete Gasoline Volatility Regulations  EPA  83 FR 66196  Doc. No. 2018-27905  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Maine; Infrastructure State Implementation Plan Requirements for the 2010 Sulfur Dioxide NAAQS  EPA</p>

<p>83 FR 66184  Doc. No. 2018-27773  Comments close Jan. 25, 2019</p>
<p>December 27, 2018</p>
<p>Fisheries of the Northern United States; Atlantic Bluefish Fishery; 2019 Bluefish Specifications  NOAA  83 FR 66234  Doc. No. 2018-27878  Comments close Jan. 10, 2019</p>
<p>Air Plan Approval; California; Mojave Desert Air Quality Management District  EPA  83 FR 66658  Doc. No. 2018-28117  Comments close Jan. 28, 2019</p>
<p>List of Approved Spent Fuel Storage Casks: TN Americas LLC Standardized Advanced NUHOMS  System, Certificate of Compliance No. 1029, Amendment No. 4  Nuclear Regulatory Commission  83 FR 66644  Doc. No. 2018-27950  Comments close Jan. 28, 2019</p>
<p>December 28, 2018</p>
<p>Freedom of Information Act Regulations  DOI  83 FR 67175  Doc. No. 2018-27561  Comments close Jan. 28, 2019</p>
<p>Revised Definition of “Waters of the United States”  Engineers Corps  83 FR 67174  2018-28296  Public Hearing Jan. 23, 2019 in Kansas City, Kansas</p>
<p>Notice of Availability of the Draft Environmental Impact Statement for the Coastal Plain Oil and Gas  Leasing Program and Announcement of Public Subsistence-Related Hearings  BLM  83 FR 67337  Doc. No. 2018-28049  Comments close Feb. 11, 2019</p>
<p>December 31, 2018</p>
<p>Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials  Safety Permits  Federal Motor Carrier Safety Administration (FMCSA), DOT.  83 FR 67705  Doc. No. 2018-28169  Comments close Jan. 1, 2019</p>

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<sup>[1]</sup> Administrative Procedure Act, 5 U.S.C. § 553(c) (2012) (“After notice required by this section, the agency shall give interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation.”).

<sup>[2]</sup> Office of the Federal Register, Publication Procedures for Federal Register Documents During a Funding Hiatus, 78 Fed. Reg. 59,974 (Sept. 30, 2013).

February 7, 2019

*Via email to John.M.Mulvaney@omb.eop.gov*

The Honorable Mick Mulvaney  
Director  
Office of Management and Budget  
725 17th Street NW  
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RE: Request for 45-Day Extension of Timeframes to Comment on Certain Notices and Proposed Rules and to Attend Certain Public Hearings Due to the Partial Government Shutdown

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In conclusion, because of the shutdown, the copied agencies must comply with the APA and the Antideficiency Act. The copied agencies must provide adequate time and access to government resources for the public to review and comment substantively on notices and proposed rules and/or to participate in public hearings. For these reasons, the undersigned organizations request that the Office of Management and Budget and the copied agencies extend the public comment period and hearing schedules listed in the Appendix by at least 45 days, and ideally 60 days, to begin as of the date the government reopened on January 28, 2019.

In no event, however, should the copied agencies fail to meet statutorily- or judicially-imposed deadlines. If providing the full opportunity for public comment discussed in this letter would make it impossible to meet such deadlines, the relevant agency must provide the maximum feasible comment period and engage in additional outreach to ensure that all stakeholders are aware of the opportunity for comment and the deadline for providing input.

Thank you for your consideration of our request. We welcome discussing this matter with you or your staff at any time and we look forward to hearing from you.

Sincerely,

Oceana  
Alaska Wilderness League  
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Animal Wellness Action

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<sup>2</sup> Office of the Federal Register, Publication Procedures for Federal Register Documents During a Funding Hiatus, 78 Fed. Reg. 59,974 (Sept. 30, 2013).

Association of Zoos and Aquariums  
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Defenders of Wildlife  
Earth Law Center  
Earthworks  
Endangered Species Coalition  
Environmental Investigation Agency  
Environmental Protection Network  
Friends of the Earth US  
Gotham Whale  
Healthy Gulf (aka Gulf Restoration Network)  
Inland Ocean Coalition  
International Fund for Animal Welfare  
International Marine Mammal Project of Earth Island Institute  
International Union, UAW  
Los Padres ForestWatch  
Marine Mammal Alliance Nantucket (MMAN)  
Mission Blue / Sylvia Earle Alliance  
National Parks Conservation Association  
Natural Resources Defense Council  
Northeastern Minnesotans for Wilderness  
NY4WHALES  
Ocean Conservation Research  
Physicians for Social Responsibility  
Public Citizen  
Shark Stewards  
SkyTruth  
SolEd Benefit Corp  
Southern Utah Wilderness Alliance  
The Wild Oyster Project  
The Wilderness Society  
Waterkeeper Alliance  
Western Organization of Resource Councils  
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**Appendix**  
**Notices and Proposed Rules Related to Environmental Measures with Comment Periods**  
**That Either Closed During the Shutdown or Were Noticed During the Shutdown**  
**and**  
**Public Hearings Related to Environmental Issues That Were Scheduled During the Shutdown**

Nov. 7, 2018
Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Industry-Funded Monitoring NMFS, NOAA 83 FR 55665 Doc. No. 2018-24087 Comments close Dec. 24, 2018
November 14, 2018
Energy Conservation Program: Test Procedures for Consumer Warm Air Furnaces, Notice of Petition for Rulemaking Department of Energy 83 FR 56746 Doc. No. 2018-24697 Comments close Jan. 14, 2019
November 15, 2018
Significant New Use Rules on Certain Chemical Substances EPA 83 FR 57634 Doc. No. 2018-24380 Comments close Dec. 31, 2018
Adopting Subpart Ba Requirements in Emission Guidelines for Municipal Solid Waste Landfills; Notice of Public Hearing EPA 83 FR 57387 Doc. No. 2018-24964 Comments close Jan. 3, 2019
November 21, 2018
Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Candy Darter FWS 83 FR 59232 Doc. No. 2018-25315 Comments close Jan. 22, 2019
Notice of Intent to Prepare an Integrated Activity Plan and Environmental Impact Statement for the National Petroleum Reserve in Alaska BLM 83 FR 58785 Doc. No. 2018-25336 Comments close Jan. 7, 2019

November 23, 2018
Air Quality Designation for the 2010 Sulfur Dioxide (SO <sub>2</sub> ) EPA 83 FR 59350 Doc. No. 2018-25477 Comments close Jan. 24, 2019
Air Plan Approval; Missouri; Emissions Inventory for the Missouri Jackson County and Jefferson County 2010 Sulfur Dioxide National Ambient Air Quality Standard Nonattainment Areas EPA 83 FR 59348 Doc. No. 2018-25553 Comments close Dec. 24, 2018
Rural Development Environmental Regulation for Rural Infrastructure Projects Rural Business-Cooperative Service, Rural Housing Service, Rural Utilities Service, Farm Service Agency, USDA 83 FR 59318 Doc. No. 2018-25522 Comments close Dec. 24, 2018
November 26, 2018
Air Plan Approval; OR: Lane County Outdoor Burning and Enforcement Procedure Rules EPA 83 FR 60386 Doc. No. 2018-25679 Comments close Dec. 26, 2018
November 27, 2018
Hazardous Materials: Harmonization with International Standards Pipeline and Hazardous Material Safety Administration 83 FR 60970 Doc. No. 2018-24620 Comments close Jan. 28, 2019
November 28, 2018
General Provisions; Revised List of Migratory Birds FWS 83 FR 61288 Doc. No. 2018-25634 Comments close Jan. 28, 2019
November 29, 2018
Clean Air Plans; 2008 8-Hour Ozone Nonattainment Area Requirements; San Joaquin Valley, California EPA 83 FR 61346 Doc. No. 2018-25885 Comments close Dec. 31, 2018
Implementation of Amended Section 203(a)(1)(B) of the Federal Power Act FERC 83 FR 61338 Doc. No. 2018-25369 Comments close Dec. 31, 2018

November 30, 2018
Approval and Promulgation of Implementation Plans; Arkansas; Approval of Regional Haze State Implementation Plan Revision and Partial Withdrawal of Federal Implementation Plan EPA 83 FR 62204 Doc. No. 2018-26073 Comments close Dec. 31, 2018
Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces EPA 83 FR 61574 Doc. No. 2018-26083 Comments close Jan. 14, 2019
December 3, 2018
Outer Continental Shelf Air Regulations; Consistency Update for Delaware EPA 83 FR 62283 Doc. No. 2018-25886 Comments close Jan. 2, 2019
December 4, 2018
State of North Dakota Underground Injection Control Program; Class I, III, IV, and V Primacy Revisions EPA 83 FR 62536 Doc. No. 2018-25893 Comments close Jan. 8, 2019 Public hearing Jan. 8, 2019
Air Plan Approval; Massachusetts; Air Emissions Inventory, Emissions Statements, Source Registration, and Emergency Episode Planning Provisions EPA 83 FR 62532 Doc. No. 2018-26283 Comments close Jan. 3, 2019
Air Plan Approval; Texas; Emission Statements EPA 83 FR 62532 Doc. No. 2018-26297 Comments close Jan 3, 2019
December 6, 2018
Approval and Promulgation of Implementation Plans: New York Ozone Section 185 EPA 83 FR 62771 Doc. No. 2018-26475 Comments close Jan. 7, 2019

<p>Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Requirements for 2008 8-Hour Ozone Standard  EPA  83 FR 62774  Doc. No. 2018-26479  Comments close Jan. 7, 2019</p>
<p>Revision of the Agency's Privacy Act Regulations for EPA-63  EPA  83 FR 62757  Doc. No. 2018-26214  Comments close Jan. 7, 2019</p>
<p>Greater Sage-Grouse Proposed Resource Management Plan Amendments (six)  BLM  83 FR 63523, 63524, 63525, 63527, 63528, 63528  Doc Nos. 2018-26699, 2018-26701, 266700, 26698, 26709  Protests close Jan. 9, 2019</p>
<p>December 7, 2018</p>
<p>National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Tomah Armory Landfill Superfund Site  EPA  83 FR 63146  Doc. No. 2018-26492  Comments close Jan. 7, 2019</p>
<p>December 10, 2018</p>
<p>Alabama: Authorization of State Hazardous Waste Management Program Revision  EPA  83 FR 63461  Doc. No. 2018-26357  Comments close Jan. 9, 2019</p>
<p>Significant New Use Rules on Certain Chemical Substances; Reopening of Comment Period  EPA  83 FR 63460  Doc. No. 2018-26685  Comments close Jan. 9, 2019</p>
<p>Public Comment for the NOAA Research and Development Plan  NOAA  83 FR 63482  Doc. No. 2018-26131  Comments close Feb. 8, 2019</p>
<p>December 12, 2018</p>
<p>List of Approved Spent Fuel Storage Casks: Holtec International HI-STORM 100 Multipurpose Canister Cask System, Certificate of Compliance No. 1014, Amendment Nos. 11 and 12  Nuclear Regulatory Commission  83 FR 63814  Doc. No. 2018-26878  Comments close Jan. 11, 2019</p>

December 13, 2018
<p>Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to National Park Service's Research and Monitoring Activities in Southern Alaska National Parks  NMFS, NOAA  83 FR 64078  Doc. No. 2018-26741  Comments close Jan. 14, 2019</p>
<p>Air Plan Approval; Michigan; Revisions to Part 1 General Provisions Rules  EPA  83 FR 64056  Doc. No. 2018-26924  Comments close Jan. 14, 2019</p>
<p>Pacific Ocean at Naval Base Guam Telecommunication Site, Finegayan Small Arms Range, on the Northwestern Coast of Guam; Danger Zone  Engineers Corps  83 FR 64053  Doc. No. 2018-27028  Comments close Jan. 14, 2019</p>
December 17, 2018
<p>Licensing, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries  Federal Maritime Commission  83 FR 64502  Doc. No. 2018-27062  Comments close Jan. 18, 2019</p>
December 18, 2018
<p>List of Approved Spent Fuel Storage Casks: NAC International Multi-Purpose Canister Storage System, Certificate of Compliance No. 1025, Amendment Nos. 7 and 8  Nuclear Regulatory Commission  83 FR 64750  Doc. No. 2018-27286  Comments close Jan. 17, 2019</p>
<p>Air Plan Approval; California; Antelope Valley Air Quality Management District; Optional General SIP Category  EPA  83 FR 64795  Doc. No. 2018-27362  Comments close Jan. 17, 2019</p>
<p>Approval and Promulgation of Air Quality State Implementation Plans; California; Plumas County; Moderate Area Plan for the 2012 PM2.5  EPA  83 FR 64774  Doc. No. 2018-27257  Comments close Jan. 17, 2019</p>
<p>Safety Zone; Oregon Inlet, Dare County, NC  Coast Guard  83 FR 64771  Doc. No. 2018-27385  Comments close Jan. 17, 2019</p>

December 19, 2018
Approval of Operating Permits Program; Kansas; Reporting Emission Data, Emission Fees and Process Information EPA 83 FR 65115 Doc. No. 2018-27457 Comments close Jan. 18, 2019
North Dakota: Authorization of State Hazardous Waste Management Program Revisions EPA 83 FR 65116 Doc. No. 2018-27423 Comments close Jan. 18, 2019
Filing of Contracts and Purchase Agreements Associated With the Export of Natural Gas Department of Energy 83 FR 65111 Doc. No. 2018-27450 Comments close Jan. 18, 2019
Endangered and Threatened Wildlife and Plants; 12-Month Findings on Petitions to List 13 Species as Endangered or Threatened Species FWS 83 FR 65127 Doc. No. 2018-27467 Comments close date not listed
North Dakota: Authorization of State Underground Storage Tank Program Revisions EPA 83 FR 65117 Doc. No. 2018-27421 Comments close Jan. 18, 2019
December 20, 2018
Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units EPA 83 FR 65424 Doc. No. 2018-27052 Comments close Jan. 19, 2019
Environmental Protection Agency Acquisition Regulation (EPAAR) Clause Update for Submission of Invoices EPA 83 FR 65328 Doc. No. 2018-27478 Comments close Jan. 19, 2019
December 21, 2018
Anchorage Ground; Sabine Pass, TX Coast Guard 83 FR 65609 Doc. No. 2018-27699 Comments close Jan. 22, 2019



<p>Air Plan Approval; Illinois; NAAQS and VOC Updates  EPA  83 FR 65617  Doc. No. 2018-27609  Comments close Jan. 22, 2019</p>
<p>Review of Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units  EPA  83 FR 65617  Doc. No. 2018-27668  Public Hearing Jan. 8, 2019</p>
<p>December 26, 2018</p>
<p>Approval of State Plans for Designated Facilities and Pollutants; Kansas; Sewage Sludge Incineration Units  EPA  83 FR 66209  Doc. No. 2018-27906  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Ohio; Redesignation of the Cleveland Area to Attainment of the 2012 Annual Standard for Fine Particulate Matter  EPA  83 FR 66200  Doc. No. 2018-27746  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Ohio; Open Burning Rules  EPA  83 FR 66197  Doc. No. 2018-27777  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Ohio; Removal of Obsolete Gasoline Volatility Regulations  EPA  83 FR 66196  Doc. No. 2018-27905  Comments close Jan. 25, 2019</p>
<p>Air Plan Approval; Maine; Infrastructure State Implementation Plan Requirements for the 2010 Sulfur Dioxide NAAQS  EPA  83 FR 66184  Doc. No. 2018-27773  Comments close Jan. 25, 2019</p>
<p>December 27, 2018</p>
<p>Fisheries of the Northern United States; Atlantic Bluefish Fishery; 2019 Bluefish Specifications  NOAA  83 FR 66234  Doc. No. 2018-27878  Comments close Jan. 10, 2019</p>

<p>Air Plan Approval; California; Mojave Desert Air Quality Management District  EPA  83 FR 66658  Doc. No. 2018-28117  Comments close Jan. 28, 2019</p>
<p>List of Approved Spent Fuel Storage Casks: TN Americas LLC Standardized Advanced NUHOMS System, Certificate of Compliance No. 1029, Amendment No. 4  Nuclear Regulatory Commission  83 FR 66644  Doc. No. 2018-27950  Comments close Jan. 28, 2019</p>
<p>December 28, 2018</p>
<p>Freedom of Information Act Regulations  DOI  83 FR 67175  Doc. No. 2018-27561  Comments close Jan. 28, 2019</p>
<p>Revised Definition of “Waters of the United States”  Engineers Corps  83 FR 67174  2018-28296  Public Hearing Jan. 23, 2019 in Kansas City, Kansas</p>
<p>Notice of Availability of the Draft Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program and Announcement of Public Subsistence-Related Hearings  BLM  83 FR 67337  Doc. No. 2018-28049  Comments close Feb. 11, 2019</p>
<p>December 31, 2018</p>
<p>Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials Safety Permits  Federal Motor Carrier Safety Administration (FMCSA), DOT.  83 FR 67705  Doc. No. 2018-28169  Comments close Jan. 1, 2019</p>