

Comments, questions regarding the Supplemental EIS process, and requests to be placed on the SPD Supplemental EIS mailing list should be directed to Ms. McAlhany by any of the means given above or by calling toll-free 877-344-0513.

FOR FURTHER INFORMATION CONTACT: For general information about the DOE NEPA process, please contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, telephone 202-586-4600, or leave a message at 800-472-2756. Additional information regarding DOE NEPA activities and access to many of DOE's NEPA documents are available on the Internet through the DOE NEPA Web site at <http://www.energy.gov/NEPA>.

SUPPLEMENTARY INFORMATION: On July 27, 2012, the U.S. Department of Energy (DOE) published a notice of availability for the *Draft Surplus Plutonium Disposition Supplemental Environmental Impact Statement* (SPD Supplemental EIS; DOE/EIS-0283-S2) for public review and comment. (77 FR 44222) That notice stated that the public review and comment period would continue until September 25, 2012. DOE has decided to extend the public comment period by 15 days through October 10, 2012.

Also, in addition to the public hearings being conducted as announced in the notice of availability, DOE will hold one additional hearing on the Draft SPD Supplemental EIS at the following location:

- September 18, 2012 (5:30 p.m. to 8 p.m.) Northern New Mexico College, Española Campus, Center for Fine Arts Building, 921 N. Paseo de Oñate, Española, New Mexico 87532.

Individuals who would like to present comments orally at this hearing should register upon arrival at the hearing. Speaking time will be allotted by the hearing moderator to each individual wishing to speak to ensure that all who wish to speak have the opportunity to do so. DOE representatives will be available during an open house portion of these hearings to discuss the Draft SPD Supplemental EIS. Following a presentation by DOE, the public will have an opportunity to provide oral and written comments during the formal portion of the hearing.

The Draft SPD Supplemental EIS analyzes the potential environmental impacts of alternatives for disposition of 13.1 metric tons (14.4 tons) of surplus plutonium for which DOE has not made a disposition decision, including 7.1

metric tons (7.8 tons) of plutonium from pits that were declared excess to national defense needs. It also updates previous DOE NEPA analyses on plutonium disposition to consider additional options for pit disassembly and conversion, which entails processing plutonium metal components to produce an oxide form of plutonium suitable for disposition, and the use of mixed oxide (MOX) fuel fabricated from surplus plutonium in domestic commercial nuclear power reactors to generate electricity, including five reactors at two specific Tennessee Valley Authority (TVA) reactor plants. DOE is not revisiting the decision to fabricate 34 metric tons (MT) (37.5 tons) of surplus plutonium into MOX fuel in the MOX Fuel Fabrication Facility (MFFF) (65 FR 1608, January 11, 2000 and 68 FR 20134, April 24, 2003), now under construction at DOE's Savannah River Site (SRS) in South Carolina, and to irradiate the MOX fuel in commercial nuclear reactors used to generate electricity.

TVA is a cooperating agency on this SPD Supplemental EIS. TVA is considering the use of MOX fuel, produced as part of DOE's Surplus Plutonium Disposition Program, in its nuclear power reactors.

Comments on the Draft SPD Supplemental EIS may be submitted according to the instructions provided above under **ADDRESSES**. In preparing the final SPD Supplemental EIS, DOE will consider all comments presented at the hearing, comments received by fax or email and comments postmarked by the end of the comment period. DOE will consider comments received after that date to the extent practicable.

Issued in Washington, DC, on August 30, 2012.

Neile Miller,

Principal Deputy Administrator for the National Nuclear Security Administration.

[FR Doc. 2012-21983 Filed 9-5-12; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9724-6]

Clean Water Act: Availability of List Decisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice and request for comments.

SUMMARY: This notice announces EPA's decision to identify certain water quality limited waters and the

associated pollutant to be listed pursuant to the Clean Water Act Section 303(d)(2) on New York's list of impaired waters, and requests public comment. Section 303(d)(2) requires that States submit, and EPA approve or disapprove, lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain State water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

On August 16, 2012, EPA disapproved New York's decision to exclude the Lower Esopus Creek from its 2012 303(d) list. EPA evaluated existing and readily available data and information and concluded that the applicable narrative water quality standard for turbidity is being exceeded in the Lower Esopus Creek. Based on this evaluation, EPA has determined that the Lower Esopus Creek is not fully attaining the water quality standards established by New York State and should be included on the State's 303(d) list of impaired waters.

EPA is providing the public the opportunity to review its decision to add this water to New York's 303(d) list, as required by 40 CFR 130.7(d)(2). EPA will consider public comments before transmitting its final listing decision to the State.

DATES: Comments must be submitted to EPA on or before October 9, 2012.

ADDRESSES: Comments on the proposed decision should be sent to Sheri Jewhurst, U.S. Environmental Protection Agency Region 2, 290 Broadway, New York, NY 10007, email jewhurst.sheri@epa.gov, telephone (212) 637-3035, facsimile (212) 637-3889. Oral comments will not be considered. Copies of EPA's letter explaining the rationale for EPA's decision concerning New York's list can be obtained by calling or emailing Ms. Jewhurst at the address above. Underlying documents from the administrative record for these decisions are available for public inspection at the above address. Please contact Ms. Jewhurst to schedule an inspection.

FOR FURTHER INFORMATION CONTACT: Sheri Jewhurst at (212) 631-3035 or at jewhurst.sheri@epa.gov.

SUPPLEMENTARY INFORMATION: Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those waters, states are required to establish TMDLs according to a priority ranking.

EPA's Water Quality Planning and Management regulations include

requirements related to the implementation of Section 303(d) of the CWA (40 CFR 130.7). The regulations require states to identify water quality limited waters still requiring TMDLs every two years. The lists of waters still needing TMDLs must also include priority rankings, identify the pollutants causing the impairment, and identify the waters targeted for TMDL development during the next two years (40 CFR 130.7).

Consistent with EPA's regulations, New York submitted its listing decisions under Section 303(d)(2) to EPA in correspondence dated March 30, 2012 and July 25, 2012. On August 16, 2012, EPA partially approved New York's submittal of the 303(d) list, and disapproved New York's decision to exclude Lower Esopus Creek from the 2012 list. EPA is soliciting public comment on the addition of this water to the State's list, as required by 40 CFR 130.7(d)(2).

Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: August 28, 2012.

George Pavlou,

Acting Regional Administrator, Region 2.

[FR Doc. 2012-22020 Filed 9-5-12; 8:45 am]

BILLING CODE 6560-50-P

EXPORT-IMPORT BANK OF THE UNITED STATES

Sunshine Act Meeting

ACTION: Notice of Open Special Meeting of the Sub-Saharan Africa Advisory Committee (SAAC) of the Export-Import Bank of the United States (Export-Import Bank).

TIME AND PLACE: September 19, 2012 at 11 a.m. to 3 p.m. The meeting will be held at the Export-Import Bank in Room 326, 811 Vermont Avenue NW., Washington, DC 20571.

SUMMARY: The Sub-Saharan Africa Advisory Committee was established by Public Law 105-121, November 26, 1997, to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion of the Bank's financial commitments in Sub-Saharan Africa under the loan, guarantee, and insurance programs of the Bank. Further, the committee shall make recommendations on how the Bank can facilitate greater support by U.S. commercial banks for trade with Sub-Saharan Africa.

AGENDA: Presentation on recent developments in Sub-Saharan Africa markets by Export-Import Bank staff; an

update on the Bank's on-going business development initiatives in the region; and Committee discussion of current challenges and opportunities for U.S. exporters.

PUBLIC PARTICIPATION: The meeting will be open to public participation, and the last 10 minutes will be set aside for oral questions or comments. Members of the public may also file written statement(s) before or after the meeting. If any person wishes auxiliary aids (such as a sign language interpreter) or other special accommodations, please contact, prior to September 19, 2012, Richard Thelen, 811 Vermont Avenue NW., Washington, DC 20571, Voice: (202) 565-3515 or TDD (202) 565-3377.

FURTHER INFORMATION CONTACT: For further information, contact Richard Thelen, 811 Vermont Avenue NW., Washington, DC 20571, (202) 565-3515.

Sharon A. Whitt,

Agency Clearance Officer.

[FR Doc. 2012-22037 Filed 9-4-12; 11:15 am]

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FEDERAL COMMUNICATIONS COMMISSION

[MB Docket No. 12-230; DA 12-1347]

Media Bureau Seeks Comment on TiVo's Request for Clarification and Waiver of the Commission's Audiovisual Output Requirement

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Media Bureau seeks comment on a petition for waiver and clarification of the Commission's rules filed by TiVo Inc. These comments are necessary to help the Media Bureau decide whether to grant TiVo's request. The intended effect of this action is to release an order that either grants or denies TiVo's request.

DATES: Submit comments on or before September 21, 2012. Submit reply comments on or before October 1, 2012.

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact Brendan Murray, Brendan.Murray@fcc.gov, of the Media Bureau, Policy Division, (202) 418-2120.

SUPPLEMENTARY INFORMATION: TiVo Inc. ("TiVo") has filed a request pursuant to Sections 1.3, 76.7, and 76.1207 of the Commission's rules for waiver of part of Section 76.640(b)(4)(iii) of the Commission's rules. Section

76.640(b)(4)(iii) requires cable operators to "ensure that the cable-operator-provided high definition set-top boxes, except unidirectional set-top boxes without recording functionality, shall comply with an open industry standard that provides for audiovisual communications including service discovery, video transport, and remote control command pass-through standards for home networking" by December 1, 2012. This rule is designed to ensure that consumers will be able to connect consumer electronics devices that they own to set-top boxes that they lease from their cable operators for whole-home viewing and recording. TiVo also asks the Commission to clarify the meaning of the phrase "open industry standard" in the rule. TiVo seeks a waiver of 76.640(b)(4)(iii) for TiVo boxes that cable operators lease to subscribers. TiVo requests that this waiver last until 12 months after cable operators have deployed at least 100,000 Cisco set-top boxes and 100,000 Motorola set-top boxes that include an output that complies with Section 76.640(b)(4)(iii). TiVo maintains that waiver of "an open standard" implementation for cable operators with respect to TiVo boxes that cable operators lease to subscribers would cause no harm to interested parties and will benefit consumers. We seek comment on TiVo's request. Authority for this action is contained in 47 U.S.C. 154(i), 549, and 47 CFR 0.283, 1.3, and 76.7(b)(1).

This proceeding will be treated as "permit but disclose" for purposes of the Commission's ex parte rules. As a result of the permit-but-disclose status of this proceeding, ex parte presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings.

Comments and oppositions are due September 21, 2012. Petitioner's reply is due October 1, 2012. All filings must be submitted in MB Docket No. 12-230. Pleadings sent via email to the Commission will be considered informal and will not be part of the official record. Interested parties will have access to comments online through the Commission's Electronic Comment Filing System (ECFS), and therefore we waive the requirements of Sections 76.7(b)(1) and 76.7(c)(1) that comments and oppositions be served on interested parties.

Comments may be filed using: (1) (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.

Electronic Filers: Comments may be filed electronically using the Internet by