

established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing this proposed priority only upon a reasoned determination that its benefits justify its costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department’s programs and activities.

The benefits of the Disability and Rehabilitation Research Projects and Centers Programs have been well established over the years in that similar projects have been completed successfully. This proposed priority would generate new knowledge through research and development. The new RERCs would generate, disseminate, and promote the use of new information that would improve the options for individuals with disabilities to fully participate in their communities.

*Intergovernmental Review:* This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

*Accessible Format:* Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

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Dated: March 29, 2013.

**Michael Yudin,**

*Delegated the authority to perform the functions and duties of Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2013-07763 Filed 4-2-13; 8:45 am]

**BILLING CODE 4000-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 239 and 258

[EPA-R10-RCRA-2013-0105; FRL-9796-7]

### Adequacy of Oregon’s Municipal Solid Waste Landfill Permit Program

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA Region 10 proposes to approve a modification to the State of Oregon’s approved Municipal Solid Waste Landfill Program. On March 22, 2004, EPA issued final regulations allowing research, development, and demonstration (RD&D) permits to be issued to certain municipal solid waste landfills by approved states. On June 14, 2012, Oregon submitted an application to EPA Region 10 seeking Federal approval of its RD&D requirements.

**DATES:** Comments on this proposed action must be received in writing on or before May 3, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R10-RCRA-2013-0105, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.

- *Email:* [calabro.domenic@epa.gov](mailto:calabro.domenic@epa.gov).

- *Fax:* (206) 553-6640, to the attention of Domenic Calabro.

- *Mail:* Send written comments to Domenic Calabro, Office of Air, Waste, and Toxics, U.S. EPA, Region 10, 1200 Sixth Avenue, Suite 900, Mailstop: AWT-122, Seattle, WA 98101.

- *Hand Delivery or Courier:* Deliver your comments to: Domenic Calabro, Office of Air, Waste, and Toxics, U.S. EPA, Region 10, 1200 Sixth Avenue, Suite 900, Mailstop: AWT-122, Seattle, WA 98101. Such deliveries are only accepted during the Office’s normal hours of operation.

For detailed instructions on how to submit comments, please see the direct final rule which is located in the Rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Domenic Calabro at (206) 553-6640 or by email at [calabro.domenic@epa.gov](mailto:calabro.domenic@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Rules section of this **Federal Register**, the EPA is approving modifications to Oregon’s Municipal Solid Waste Landfill permit program to allow for Research, Development, and Demonstration permits through a direct final rule without prior proposal, because the EPA views this as a noncontroversial action and anticipates no adverse comments to this action. Unless we receive written adverse comments which oppose this approval during the comment period, the direct final rule will become effective on the date it establishes, and we will not take further action on this proposal. If the EPA receives written adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule.

The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

**Authority:** This action is issued under the authority of sections 2002, 4005 and 4010(c) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6945 and 6949(a).

Dated: March 8, 2013.

**Dennis J. McLerran,**

*Regional Administrator, EPA Region 10.*

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**BILLING CODE 6560-50-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### 23 CFR Part 771

#### Federal Transit Administration

#### 49 CFR Part 622

[Docket No. FHWA-2013-0007]

FHWA RIN 2125-AF48

FTA RIN 2132-AB05

### Environmental Impact and Related Procedures

#### Correction

The correction that appeared on page 15925, Wednesday, March 13, 2013 is corrected to read as follows:

On page 13609, in the first column, the docket number should read as set forth above.

[FR Doc. C2-2013-04678 Filed 4-2-13; 8:45 am]

**BILLING CODE 1505-01-D**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket Nos. FWS-R1-ES-2012-0080; FWS-R1-ES-2012-0088; FWS-R1-ES-2013-0009; FWS-R1-ES-2013-0021; 4500030114]

RIN 1018-AY18; 1018-AZ17; 1081-AZ36; 1081-AZ37

### Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Taylor's Checkerspot Butterfly, Streaked Horned Lark, and Four Subspecies of Mazama Pocket Gopher

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the reopening of the comment period on our October 11, 2012 (77 FR 61938), proposal to list Taylor's checkerspot butterfly as endangered and streaked horned lark as threatened and to designate critical habitat, and on our December 11, 2012 (77 FR 73770), proposal to list four subspecies of Mazama pocket gopher (Olympia, Tenino, Yelm, and Roy Prairie) and to designate critical habitat, under the Endangered Species Act of 1973, as amended (Act). We also announce the availability of a draft economic analysis (DEA) of the proposed critical habitat designations and an amended required determinations section of the proposed designations. The draft economic analysis addresses the potential economic impacts of critical habitat designation for all six subspecies (collectively, the "prairie species") under consideration in these rulemakings. In addition, we are providing information that we inadvertently omitted from the preamble to the October 11, 2012, proposed rule (77 FR 61938) to list Taylor's checkerspot butterfly as endangered and streaked horned lark as threatened and to designate critical habitat. We are reopening the comment periods to allow all interested parties an opportunity to comment simultaneously on the proposed rules, the associated DEA, and our amended required determinations. Comments previously submitted on these proposed rulemakings do not need to be resubmitted, as they will be fully considered in preparation of the final rules. We also announce a public hearing and three public information workshops on our proposed rules and associated documents.

**DATES:** *Written Comments:* We will consider comments received or postmarked on or before May 3, 2013. Please note comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**) must be received by 11:59 p.m. Eastern Time on the closing date. Any comments that we receive after the closing date may not be considered in the final decisions on these actions.

*Public Information Workshops:* We will hold three public information workshops. Two in Olympia, Washington, for all six subspecies, on Tuesday, April 16, 2013, from 3 p.m. to 5 p.m. and from 6 p.m. to 8 p.m.; and another in Salem, Oregon, for Taylor's checkerspot butterfly and streaked

horned lark, on Wednesday, April 17, 2013, from 6 p.m. to 8 p.m. (see **ADDRESSES**).

*Public Hearing:* We will hold a public hearing in Lacey, Washington, on Thursday, April 18, 2013, from 3 p.m. to 5 p.m. and continuing from 6 p.m. to 8 p.m. (see **ADDRESSES**).

**ADDRESSES:** *Document Availability:* You may obtain copies of the proposed rules at <http://www.regulations.gov> at Docket No. FWS-R1-ES-2012-0080 for Taylor's checkerspot butterfly and streaked horned lark, and at Docket No. FWS-R1-ES-2012-0088 for the Mazama pocket gophers; from the Washington Fish and Wildlife Office's Web site (<http://www.fws.gov/wafwot/>); or by contacting the Washington Fish and Wildlife Office directly (see **FOR FURTHER INFORMATION CONTACT**). You may obtain a copy of the combined draft economic analysis at Docket No. FWS-R1-ES-2013-0009 or Docket No. FWS-R1-ES-2013-0021.

*Written Comments:* You may submit written comments by one of the following methods, or at the public information workshop or public hearing:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Submit comments on the listing proposal for Taylor's checkerspot butterfly and streaked horned lark to Docket No. FWS-R1-ES-2012-0080; submit comments on the critical habitat proposal for Taylor's checkerspot butterfly and streaked horned lark to Docket No. FWS-R1-ES-2013-0009. Submit comments on the listing proposal for Mazama pocket gophers to Docket No. FWS-R1-ES-2012-0088; submit comments on the critical habitat proposal for Mazama pocket gophers to Docket No. FWS-R1-ES-2013-0021. See **SUPPLEMENTARY INFORMATION** for an explanation of the four dockets.

(2) *By hard copy:*

- Submit comments on the listing proposal for Taylor's checkerspot butterfly and streaked horned lark by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R1-ES-2012-0080; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

- Submit comments on the critical habitat proposal for Taylor's checkerspot butterfly and streaked horned lark by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R1-ES-2013-0009; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.