

airspace at Riverton Regional Airport, Riverton, WY. Additional controlled airspace is necessary to accommodate aircraft using the VOR (RNAV) GPS (SIAP) at Riverton Regional Airport, Riverton, WY. This action would enhance the safety and management of aircraft operations at Riverton Regional Airport, Riverton, WY.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9T, signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation; (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, section 106, describes the authority for the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify controlled airspace at Riverton Regional Airport, Riverton, WY.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

##### 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009 is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

##### ANM WY E5 Riverton, WY [Modified]

Riverton Regional Airport, WY

(Lat. 43°03'51" N., long. 108°27'35" W.)

Riverton VOR/DME

(Lat. 43°03'57" N., long. 108°27'20" W.)

That airspace extending upward from 700 feet above the surface within an 8.7-mile radius of the Riverton Regional Airport and within 4 miles each side of the Riverton VOR/DME 291° radial extending from the 8.7-mile radius to 16.6 miles west of the VOR/DME, and within 3.1 miles each side of the Riverton VOR/DME 123° radial extending from the 8.7-mile radius to 10.5 miles southeast of the VOR/DME; that airspace extending upward from 1,200 feet above the surface within a 21.8-mile radius of the Riverton VOR/DME within 8.7 miles east and 6.1 miles west of the Riverton VOR/DME 016° radial extending from the 21.8-mile radius to 33.1 miles north of the VOR/DME, and within 6.1 miles northeast and 12.7 miles southwest of the Riverton VOR/DME 301° radial extending from the 21.8-mile radius to 32.2 miles northwest of the VOR/DME, on the east within an area bounded by a point beginning at lat. 42°56'30" N., long. 107°59'45" W.; to lat. 42°54'53" N., long. 107°44'31" W.; to lat. 42°42'35" N., long. 107°53'00" W.; to lat. 42°49'00" N., long. 108°06'00" W.; thence to the point of beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on September 23, 2009.

**William Buck,**

*Acting Manager, Operations Support Group, Western Service Center.*

[FR Doc. E9–23751 Filed 10–1–09; 8:45 am]

**BILLING CODE 4910–13–P**

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

##### 20 CFR Part 655

##### Wage and Hour Division

##### 29 CFR Parts 501, 780, and 788

RIN 1205–AB55

#### Temporary Agricultural Employment of H–2A Aliens in the United States; Extension of Comment Period

**AGENCY:** Employment and Training Administration, Wage and Hour Division, Employment Standards Administration, Labor.

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

**SUMMARY:** The Employment and Training Administration and the Employment Standards Administration issued a proposed rule on September 4, 2009, to amend its regulations governing the certification of temporary employment of nonimmigrant workers in temporary or seasonal agricultural (H–2A) employment and the enforcement of the contractual obligations applicable to employers of such nonimmigrant workers. The proposed rule provided a comment period for the regulatory text through October 5, 2009. The agencies have received several requests to extend the comment period and have decided to extend the comment period for an additional 15 days, to October 20, 2009. The comment period for the Paperwork Reduction Act portion remains the same as published, i.e. November 5, 2009.

**DATES:** The comment period for the notice of proposed rulemaking published September 4, 2009 (74 FR 45906) is extended through October 20, 2009. Interested persons are invited to submit written comments on the proposed rule on or before October 20, 2009.

**ADDRESSES:** You may submit comments, identified by Regulatory Information Number (RIN) 1205–AB55, by any one of the following methods:

- *Federal e-Rulemaking Portal*  
[www.regulations.gov](http://www.regulations.gov). Follow the Web site instructions for submitting comments.
- *Mail:* Please submit all written comments (including disk and CD–ROM submissions) to Thomas Dowd, Administrator, Office of Policy Development and Research, Employment and Training Administration, U.S. Department of

Labor, 200 Constitution Avenue, NW., Room N-5641, Washington, DC 20210.

• **Hand Delivery/Courier:** Please submit all comments to Thomas Dowd, Administrator, Office of Policy Development and Research, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5641, Washington, DC 20210.

Please submit your comments by only one method. The Department will post all comments received on <http://www.regulations.gov> without making any change to the comments, including any personal information provided. The <http://www.regulations.gov> Web site is the Federal e-rulemaking portal and all comments posted there are available and accessible to the public. The Department cautions commenters not to include their personal information such as Social Security Numbers, personal addresses, telephone numbers, and e-mail addresses in their comments as such submitted information will become viewable by the public via the <http://www.regulations.gov> Web site. It is the responsibility of the commenter to safeguard his or her information. Comments submitted through <http://www.regulations.gov> will not include the commenter's e-mail address unless the commenter chooses to include that information as part of his or her comment.

Postal delivery in Washington, DC, may be delayed due to security concerns. Therefore, the Department encourages the public to submit comments via the Web site indicated above.

**Docket:** For access to the docket to read background documents or comments received, go the Federal eRulemaking portal at <http://www.regulations.gov>. The Department will also make all the comments it receives available for public inspection during normal business hours at the ETA Office of Policy Development and Research at the above address. If you need assistance to review the comments, the Department will provide you with appropriate aids such as readers or print magnifiers. The Department will make copies of the rule available, upon request, in large print and as electronic file on computer disk. The Department will consider providing the proposed rule in other formats upon request. To schedule an appointment to review the comments and/or obtain the rule in an alternate format, contact the Office of Policy Development and Research at (202) 693-3700 (VOICE) (this is not a toll-free number) or 1-877-889-5627 (TTY/TDD).

**FOR FURTHER INFORMATION CONTACT:** For further information regarding 20 CFR part 655, contact William L. Carlson, PhD, Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5641, Washington, DC 20210; Telephone (202) 693-3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

For further information regarding 29 CFR parts 501, 780 and 788, contact James Kessler, Farm Labor Branch Chief, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room S-3510, Washington, DC 20210; Telephone (202) 693-0070 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** On September 4, 2009, the Employment and Training Administration and the Employment Standards Administration of the Department of Labor issued a Notice of Proposed Rulemaking rule to amend regulations governing the certification of temporary employment of nonimmigrant workers in temporary or seasonal agricultural (H-2A) employment and the enforcement of the contractual obligations applicable to employers of such nonimmigrant workers. 74 FR 45906, Sept. 4, 2009. The proposed rule provided a comment period through October 5, 2009. The agencies have received several requests to extend the comment period and have decided to extend the comment period to October 20, 2009. Given the complexity of the proposed rule and the level of interest, as well as The Department's interest in receiving comments, the comment period is being extended until October 20, 2009.

Signed in Washington, DC, this 29th day of September 2009.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

**Shelby Hallmark,**

*Acting Assistant Secretary, Employment Standards Administration.*

[FR Doc. E9-23806 Filed 9-30-09; 11:15 am]

**BILLING CODE 4510-FP-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2005-AL-0002-200913; FRL-8959-3]

### Approval and Promulgation of Implementation Plans: Alabama: Proposed Approval of Revisions to the Visible Emissions Rule and Alternative Proposed Disapproval of Revisions to the Visible Emissions Rule

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

**ACTION:** Proposed rule.

**SUMMARY:** On April 3, 2009, EPA granted a February 25, 2009, petition seeking reconsideration of an October 15, 2008, final action approving a State Implementation Plan (SIP) revision regarding the State of Alabama's visible emissions rules. As part of its reconsideration process, EPA is now proposing to either affirm the previous rulemaking (which approved the revisions) or, alternatively, amend its previous rulemaking (*i.e.*, disapproving the revisions). EPA is seeking public comment on the issues raised in the petition for reconsideration as well as the actions proposed in this notice. EPA is also seeking public comment on the relationship between opacity and particulate matter mass emissions. Following its evaluation of the issues raised in the petition for reconsideration, and any information submitted during the public comment process, EPA will take final action either affirming the previous rulemaking or amending the previous rulemaking and disapproving the revisions to the visible emissions portion of Alabama's SIP.

**DATES:** Comments must be received on or before November 16, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-OAR-2005-AL-0002, by one of the following methods:

1. [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.
2. *E-mail:* [benjamin.lynorae@epa.gov](mailto:benjamin.lynorae@epa.gov).
3. *Fax:* 404-562-9019.
4. *Mail:* "EPA-R04-OAR-2005-AL-0002," Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960.
5. *Hand Delivery or Courier:* Lynorae Benjamin, Regulatory Development Section, Air Planning Branch, Air,