

absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 *note*) do not apply. This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: February 7, 2003.

Alexis Strauss,

Acting Regional Administrator, Region IX.
[FR Doc. 03-4514 Filed 2-25-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA273-0381b; FRL-7452-4]

Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a revision to the Imperial County Air Pollution Control District (ICAPCD) portion of the California State Implementation Plan (SIP). This revision concerns particulate matter (PM) emissions livestock feed yard operations. We are proposing to approve this local rule regulating these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments on this proposal must arrive by March 28, 2003.

ADDRESSES: Mail comments to Andy Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

You can inspect copies of the submitted SIP revision and EPA's technical support document (TSD) at

our Region IX office during normal business hours. You may also see copies of the submitted SIP revisions at the following locations:

California Air Resources Board,
Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814; and,
Imperial County Air Pollution Control District, 150 South 9th Street, El Centro, CA 92243.

FOR FURTHER INFORMATION CONTACT: Jerald S. Wamsley, Rulemaking Office (Air-4), U.S. Environmental Protection Agency, Region IX, (415) 947-4111.

SUPPLEMENTARY INFORMATION: This proposal addresses ICAPCD Rule 420—Livestock Feedyards. In the Rules and Regulations section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe this SIP revision is not controversial. However, if we receive adverse comments, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: February 3, 2003.

Alexis Strauss,

Acting Regional Administrator, Region IX.
[FR Doc. 03-4377 Filed 2-25-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KS 173-1173; FRL-7456-1]

Approval and Promulgation of Implementation Plans; State of Kansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve a State Implementation Plan (SIP) revision submitted by the state of Kansas. This revision is a new regulation entitled "Prevention of Significant Deterioration of Air Quality" and will replace the existing regulation which comprised the prior body of Prevention of Significant Deterioration of Air Quality. This revision adopts by reference 40 CFR 52.21, as in effect on July 1, 2000.

In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. 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. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment.

DATES: Comments on this proposed action must be received in writing by March 28, 2003.

ADDRESSES: Comments may be mailed to Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Heather Hamilton at (913) 551-7039.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: February 20, 2003.

James B. Gulliford,

Regional Administrator, Region 7.

[FR Doc. 03-4627 Filed 2-25-03; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D 020303A]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

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

ACTION: Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

SUMMARY: The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that the subject EFP application contains all the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP), the Mid-Atlantic Fishery Council Research Set-Aside Program, and the Atlantic Coastal Fisheries Cooperative Management Act American lobster regulations. However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Regional Administrator proposes to issue an EFP that would allow one vessel to conduct fishing operations otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The vessel would be exempt from the black sea bass *Centropristis striata*, commercial fishing closure and size limit requirements (size limit exemption is for retaining research samples only), and from Federal lobster/black sea bass pot restrictions in Lobster Management Area 4, lobster trap limits, lobster escape vent requirements, tag requirements in Lobster Management Areas 4 and 5, and any black sea bass area restrictions. The exemptions will allow for experimentation with three different black sea bass escape vent sizes, and for compensation fishing to fund the research.

DATES: Comments on this document must be received on or before 5:00 p.m. EST March 13, 2003.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on BSB Escape Vent EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Paul Perra, Fishery Policy Analyst, 978-281-9153.

SUPPLEMENTARY INFORMATION: An application for an EFP was submitted to NMFS by Wizard Enterprises on September 9, 2002. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification

to provide interested parties the opportunity to comment on applications for proposed EFPs. The EFP is being requested to facilitate a research project by one vessel that would compare the effects of three different black sea bass pot escape vents on the structure of black sea bass populations. To provide the greatest potential for fishing success, it would be necessary to allow the vessel to fish for, and possess, black sea bass during closures that may be implemented due to the attainment of the commercial quota and frame work adjustments at 50 CFR, 648 subpart I, and minimum size limits at 50 CFR 648 subpart I (size limit exemption is for retaining research samples only); and to exempt the vessel from the 800 lobster pot limit at 50 CFR 697.19(a)(2), tag restrictions at 50 CFR part 697.19(c), and escape vent requirements at 50 CFR 697.21(c). These exemptions would be necessary for the vessel to fish 144 experimental black sea bass/lobster pots. However, in order to maintain the conservation goals of the regulations for American lobster and to protect marine mammals, no lobster harvest would be allowed from any experimental black sea bass/lobster pots fished in Lobster Area Management 4, and all experimental black sea bass/lobster pots would be required to be fished in conformance with the gear requirements under the Atlantic Large Whale Take Reduction Plan, Marine Mammal Protection Act, and Endangered Species Act. In order to make it economically efficient to provide the funding for the research, the vessel participating in the research project also would be authorized to make additional compensation fishing trips during closed seasons, to land up to a total of 25,000 lb (11,340 kg) of black sea bass. However, no black sea bass smaller than the minimum size of 11 inches (27.9 cm) could be sold, traded, bartered, or processed for sale. Landings from such trips would be sold to generate funds that would defray the costs associated with the research projects.

Traps with either a 2-inch (5.08-cm) square, a 2 3/8-inch (6.03-cm) circular, or a 5 3/4-inch (14.61-cm) rectangular escape vent would be tested. The experiment would use 144 traps set in 12 trap strings. The 12 trap strings would be connected by rope at regular intervals and deployed with one float on each end. Two strings of traps each would be deployed next to six different wrecks off the New Jersey coast. Traps would be pulled once a week from mid-May to mid-November. Approximately 26 day-long research fishing trips are proposed for the project during 2003.

The fishing activity would occur primarily off the coast from Manasquan to Cape May, NJ. A NMFS-supervised technician would be onboard the participating vessel during all research trips. Any landings that would occur from research or compensation fishing would be reported in the Vessel Trip Report, as required, because the participating vessel possesses a commercial black sea bass moratorium permit. All landings would be landed in compliance with applicable state landing laws.

Based on the results of the EFPs, this action may lead to future rulemaking.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 19, 2003.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 03-4440 Filed 2-25-03; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 020403A]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

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

ACTION: Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

SUMMARY: The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that an EFP application from the Maine Department of Marine Resources (Maine DMR) contains all the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP), and does not detrimentally affect the well being of any stock of fish likely to be taken during the experiment. Therefore, NMFS announces that the Regional Administrator proposes to issue an EFP that would allow one vessel to conduct fishing operations that are otherwise restricted by the