

at Biloxi, Harrison County, MS. This deviation allows the bridge to remain closed to navigation on June 5, 2003. The deviation is necessary to conduct emergency repairs to the drawbridge.

DATES: This deviation is effective from 8:30 a.m. through 5:30 p.m. on June 5, 2003.

ADDRESSES: Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

FOR FURTHER INFORMATION CONTACT: Kay Wade, Bridge Administration Branch, telephone (504) 589-2965.

SUPPLEMENTARY INFORMATION: The City of Biloxi has requested a temporary deviation in order to replace the hydraulic fluid in the hydraulic system of the bascule span bridge across the Back Bay of Biloxi at mile 8.0 at Biloxi, Harrison County, Mississippi. This maintenance is necessary to replace contaminated hydraulic fluid which is damaging the bridge's hydraulic system. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 8:30 a.m. through 5:30 p.m. on Thursday, June 5, 2003.

The bascule span bridge has a vertical clearance of 25 feet above mean high water, elevation +0.8 feet Mean Sea Level and 26.6 feet above mean low water, elevation -0.8 Mean Sea Level in the closed-to-navigation position. Navigation at the site of the bridge consists mainly of tows with barges and very little recreational craft. Due to prior experience, as well as coordination with waterway users, it has been determined that this one day closure will not have a significant effect on these vessels. The bridge normally opens to pass navigation an average of 125 times per month. In accordance with 33 CFR 117.675(c), the draw of the Popps Ferry Road bridge, mile 8.0, at Biloxi, shall open on signal; except that, from 7:30 a.m. to 9 a.m. and from 4:30 p.m. to 6 p.m. Monday through Friday, except Federal holidays, the draw need not be opened for passage of vessels. The draw shall open at any time for a vessel in distress. The bridge will not be able to open for emergencies during the closure period. Alternate routes are not available.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 14, 2003.

Marcus Redford,

Bridge Administrator.

[FR Doc. 03-13059 Filed 5-23-03; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD01-03-042]

Drawbridge Operation Regulations: Fore River, ME

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations for the Casco Bay Bridge, mile 1.5, across the Fore River between Portland and South Portland, Maine. Under this temporary deviation a three-hour advance notice for bridge openings will be required from 6 a.m. to 6 p.m., June 2, 2003 through June 6, 2003. This temporary deviation is necessary to facilitate fender repairs at the bridge.

DATES: This deviation is effective from June 2, 2003 through June 6, 2003.

FOR FURTHER INFORMATION CONTACT: John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

SUPPLEMENTARY INFORMATION: The Casco Bay Bridge has a vertical clearance in the closed position of 55 feet at mean high water and 64 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.5.

The bridge owner, Maine Department of Transportation, requested a temporary deviation from the drawbridge operation regulations to facilitate fender repairs at the bridge.

Under this temporary deviation a three-hour advance notice will be required for bridge openings from 6 a.m. through 6 p.m., June 2, 2003 through June 6, 2003. Vessels that can pass under the bridge without a bridge opening may do so at all times.

The Coast Guard coordinated this closure with the mariners who normally use this waterway to help facilitate this

necessary bridge repair and to minimize any disruption to the marine transportation system.

This deviation from the operating regulations is authorized under 33 CFR 117.35, and will be performed with all due speed in order to return the bridge to normal operation as soon as possible.

Dated: May 14, 2003.

John L. Grenier,

Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.

[FR Doc. 03-13060 Filed 5-23-03; 8:45 am]

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POSTAL SERVICE

39 CFR Part 6

Amendment to Bylaws of the Board of Governors

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: On March 31, 2003, the Board of Governors of the United States Postal Service adopted a revision to its bylaws. The purpose of this revision was to provide that the Board may, by a recorded vote, vary the time or place of a regular or annual meeting. This final rule incorporates the change which the Board adopted.

EFFECTIVE DATE: March 31, 2003.

FOR FURTHER INFORMATION CONTACT: William T. Johnstone, (202) 268-4800.

SUPPLEMENTARY INFORMATION: This document publishes a revision. The change revises 39 CFR 6.1 of the Bylaws of the Board of Governors of the United States Postal Service. The change was adopted by the Board on March 31, 2003.

The change now requires that consistent with the provisions of § 7.5 of the bylaws, the time or place of a regular or annual meeting may be varied by a recorded vote. Previously, the bylaws required a unanimous vote to vary the time or place of a regular or annual meeting.

List of Subjects in 39 CFR Part 6

Administrative practice and procedure, Organization and functions (government agencies), Postal Service.

■ Accordingly, § 6.1 of title 39 CFR is amended to read as follows:

PART 6—MEETING (ARTICLE VI)

■ 1. The authority citation for Part 6 continues to read as follows:

Authority: 39 U.S.C. 202, 205, 401(2), (10), 1003, 3013; 5 U.S.C. 552b(e), (g).

■ 2. Section 6.1 is revised to read as follows:

§ 6.1 Regular meetings, annual meeting.

The Board shall meet regularly each month and shall meet normally on the first Monday and Tuesday of each month. The first regular meeting of each calendar year is designated as the annual meeting. Consistent with the provisions of § 7.5 of these bylaws, the time or place of a regular or annual meeting may be varied by recorded vote, with the earliest practicable notice to the Secretary. The Secretary shall distribute to the members an agenda setting forth the proposed subject matter for any regular or annual meeting in advance of the meeting.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 03-13098 Filed 5-23-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[WV60-6027a; FRL-7503-2]

Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; State of West Virginia; Control of Emissions From Existing Small Municipal Waste Combustion Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve the section 111(d)/129 negative declaration submitted by the West Virginia Department of Environmental Protection, Division of Air Quality (DAQ). The negative declaration certifies that small municipal waste combustion (MWC) units, subject to the requirements of sections 111(d) and 129 of the Clean Air Act (CAA), do not exist within its air pollution control jurisdiction.

DATES: This final rule is effective July 28, 2003, unless EPA receives adverse written comment by June 26, 2003. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be mailed to Walter Wilkie, Deputy Chief, Air Quality Planning and Information Services Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street,

Philadelphia, Pennsylvania 19103.

Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

FOR FURTHER INFORMATION CONTACT:

James B. Topsale at (215) 814-2190, or by e-mail at topsale.jim@epa.gov.

SUPPLEMENTARY INFORMATION: Sections 111(d) and 129 of the CAA requires states to submit plans to control certain pollutants (designated pollutants) at existing solid waste combustor facilities (designated facilities) whenever standards of performance have been established under section 111(b) for new sources of the same type, and EPA has established emission guidelines (EG) for such existing sources. A designated pollutant is any pollutant for which no air quality criteria have been issued, and which is not included on a list published under section 108(a) or section 112(b)(1)(A) of the CAA, but emissions of which are subject to a standard of performance for new stationary sources. However, section 129 of the CAA, also requires EPA to promulgate EG for small MWC units that emit a mixture of air pollutants. These pollutants include organics (dioxins/furans), carbon monoxide, metals (cadmium, lead, mercury), acid gases (hydrogen chloride, sulfur dioxide, and nitrogen oxides) and particulate matter (including opacity).

On December 6, 2000 (65 FR 76350 and 76378), EPA promulgated small municipal waste combustion unit new source performance standards, 40 CFR part 60, subparts AAAA, and emission guidelines (EG), subpart BBBB, respectively.

The designated facility to which the EG apply is each existing small MWC unit that has a design combustion capacity of 35 to 250 tons per day of municipal solid waste (MSW) and commenced construction on or before August 30, 1999.

Subpart B of 40 CFR part 60 establishes procedures to be followed and requirements to be met in the development and submission of state plans for controlling designated pollutants. Also, 40 CFR parts 62 provides the procedural framework for the submission of these plans. When designated facilities are located in a state, the state must then develop and submit a plan for the control of the designated pollutant. However, 40 CFR 60.23(b) and 62.06 provide that if there are no existing sources of the designated pollutant in the state, the state may

submit a letter of certification to that effect (*i.e.*, negative declaration) in lieu of a plan. The negative declaration exempts the state from the requirements of subpart B that require the submittal of a 111(d)/129 plan.

Final EPA Action

The DAQ has determined that there are no designated facilities, subject to the small MWC unit EG requirements, in its air pollution control jurisdiction. Accordingly, the DAQ has submitted to EPA a negative declaration letter certifying this fact. The submittal date of the letter is July 3, 2001.

Therefore, EPA is amending part 62 to reflect the receipt of the negative declaration letter from the DAQ. Amendments are being made to 40 CFR part 62, subpart XX (West Virginia).

After publication of this **Federal Register** notice, if a small MWC facility is later found within jurisdiction of the DAQ, then the overlooked facility will become subject to the requirements of the Federal small MWC 111(d)/129 plan, including the compliance schedule, as promulgated on January 31, 2003 (68 FR 5144). The Federal plan would no longer apply if EPA subsequently receives and approves a 111(d)/129 plan from the DAQ.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action simply reflects already existing Federal requirement for state air pollution control agencies under 40 CFR parts 60 and 62. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the negative declaration should relevant adverse or critical comments be filed.

This rule will be effective July 28, 2003, without further notice unless the Agency receives relevant adverse comments by June 26, 2003. If EPA receives such comments, then EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule did not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.