

Division, Permits Office (AIR-3), at (415) 972-3974 or [rios.gerardo@epa.gov](mailto:rios.gerardo@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us” and “our” refer to EPA.

*Background:* On October 15, 2002 we partially withdrew approval of part 70 Operating Permit Programs in California and announced a part 71 Federal Operating Permits Program for major stationary agricultural sources in California (67 FR 63551). At that time we also announced in the preamble of the final rule the deadlines for submittal of part 71 operating permit applications for these sources, as defined in 40 CFR 71.2. These deadlines were May 14, 2003 for sources that were major due to diesel-powered engine emissions, and August 1, 2003 for any remaining state-exempt major stationary agriculture sources (See 67 FR 63560 in Section IV). Today we are announcing that the second deadline is changed to November 13, 2003.

#### Description of Today's Action

Pursuant to 40 CFR 71.5(a)(1)(i), major stationary sources that do not have an existing operating permit issued by a State (or local permitting authority) under an approved part 70 program, and that are applying for a part 71 permit for the first time, must submit an application within 12 months after becoming subject to the permit program or on or before such earlier date as the permitting authority may establish. Section 71.5(a)(1)(i) further provides that sources required to submit permit applications earlier than 12 months after becoming subject to part 71 shall be notified of the earlier submittal date at least 6 months in advance of the deadline. EPA previously met this requirement by publishing a Notice in the **Federal Register** on October 15, 2002. 67 FR 63551. That notice established a deadline of May 14, 2003 for state-exempt stationary agricultural sources that are major sources, as defined in 40 CFR 71.2, due to emissions from diesel-powered engines, and a deadline of August 1, 2003 for all remaining state-exempt major stationary agricultural sources. We are today notifying this second category of sources that the deadline to submit part 71 permit applications to the EPA Region IX Permits Office has been changed from August 1, 2003 to November 13, 2003.

Dated: July 21, 2003.

**Alexis Strauss,**

*Acting Regional Administrator, Region IX.*  
[FR Doc. 03-19282 Filed 7-31-03; 8:45 am]

**BILLING CODE 6560-50-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

**48 CFR Parts 1806, 1807, 1811, 1814, 1815, 1817, 1819, 1825, 1827, 1844, 1852, and 1872**

**RIN 2700-AC72**

### Conformance with Federal Acquisition Circular (FAC) 2001-14 and Miscellaneous Administrative and Editorial Changes

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This final rule revises the NASA FAR Supplement (NFS) to conform to changes made to the Federal Acquisition Regulation (FAR) by Federal Acquisition Circular 2001-14 and to make administrative and editorial changes needed to update the designated agency competition advocate, update and remove outdated references, add URL citations, and clarify the term “NASA workforce” as used in the instruction for drafting an announcement of opportunity.

**EFFECTIVE DATE:** August 1, 2003.

**FOR FURTHER INFORMATION CONTACT:** Celeste Dalton, NASA, Office of Procurement, Contract Management Division (Code HK); (202) 358-1645; e-mail: [Celeste.M.Dalton@nasa.gov](mailto:Celeste.M.Dalton@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Federal Acquisition Circular 2001-14 clarified the use of the term “United States,” and made changes to the cost principles at FAR 31.205-10, Cost of Money. A change is required in NFS 1815.404-471-5, Facilities capital cost of money, to update the cross-reference to the revised FAR 31.205-10. NFS section 1825.7001 is amended to remove the phrase “its possessions, and Puerto Rico” since it is no longer necessary based on the definition of “United States” contained in FAR Part 25. Administrative changes are made to the agency designated competition advocate and the individual the competition advocate will report to. Additionally, editorial changes are made to update and remove outdated references, clarify what is meant by the NASA workforce when used in the instructions for drafting an announcement of opportunity, and add URL citations.

##### B. Regulatory Flexibility Act

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Public Law 98-577, and publication for public comment is

not required. However, NASA will consider comments from small entities concerning the affected NFS Parts 1806, 1807, 1811, 1814, 1815, 1817, 1819, 1825, 1827, 1844, 1852, and 1872 in accordance with 5 U.S.C. 610.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**List of Subjects in 48 CFR Parts 1806, 1807, 1811, 1814, 1815, 1817, 1819, 1825, 1827, 1844, 1852, and 1872**

Government procurement.

**Charles W. Duff II,**

*Acting Assistant Administrator for Procurement.*

■ Accordingly, 48 CFR parts 1806, 1807, 1811, 1814, 1815, 1817, 1819, 1825, 1827, 1844, 1852, and 1872 are amended as follows:

■ 1. The authority citation for 48 CFR Parts 1806, 1807, 1811, 1814, 1815, 1817, 1819, 1825, 1827, 1844, 1852, and 1872 continues to read as follows:

**Authority :** 42 U.S.C. 2473(c)(1).

#### PART 1806—COMPETITION REQUIREMENTS

■ 2. In section 1806.501, revise paragraph (1) to read as follows:

##### 1806.501 Requirement.

(1) The Director, Program Operations Division, Code HS, is the agency competition advocate, reporting to the Assistant Administrator for Procurement on issues related to competition of NASA acquisitions.

\* \* \* \* \*

#### PART 1807—ACQUISITION PLANNING

##### 1807.7000 [Amended]

■ 3. In the last sentence of section 1807.7000, remove the URL “(<http://procurement.nasa.gov/cgi-bin/CCI/first.cgi>)” and add “(<http://prod.nais.nasa.gov/cgi-bin/cci/first.cgi>)” in its place.

#### PART 1811—DESCRIBING AGENCY NEEDS

■ 4. Section 1811.600 is added to read as follows:

##### 1811.600 Scope of subpart.

The Defense Priorities and Allocations System (15 CFR part 700) may be viewed at <http://www.doc-bxa.bmpcoe.org/dpas-docs/dpasreg.pdf>.

**PART 1814—SEALED BIDDING****1814.407-3 [Amended]**

- 5. In paragraph (e) of section 1814.407-3, add the abbreviation "FAR" immediately before 14.407-3(a).

**PART 1815—CONTRACTING BY NEGOTIATIONS****1815.404-471-5 [Amended]**

- 6. In paragraph (a) of section 1815.404-471-5, remove "FAR 31.205-10(a)(2)" and add "FAR 31.205-10(b)" in its place.

**PART 1817—SPECIAL CONTRACTING METHODS****1817.7002 [Amended]**

- 7. In paragraph (b) of section 1817.7002, remove "1817.504(b)(4)" and add "1817.7203" in its place.

**PART 1819—SMALL BUSINESS PROGRAMS**

- 8. Revise paragraph (a) of section 1819.7002 to read as follows:

**1819.7002 Contracting officer responsibility.**

(a) Contracting officers must seek out as potential sources small disadvantaged business concerns, women-owned small business concerns, historically black colleges or universities and minority institutions, and give full consideration to these entities to satisfy NASA requirements. The participation of NASA prime contractors is also essential to meeting the Agency's 8 percent goal.

\* \* \* \* \*

**PART 1825—FOREIGN ACQUISITION****1825.7001 [Amended]**

- 9.-10. in paragraph (a) of section 1825.7001, remove the phrase " , its possessions, and Puerto Rico".

**1825.7002 [Amended]**

- 11. In section 1825.7002, amend paragraph (b)(1)(ii) by adding "(pursuant to NPD 1050.1) "after the word involved".

**PART 1827—PATENTS, DATA, AND COPYRIGHTS**

- 12. In section 1827.404, paragraph (g)(3)(B)(c) is revised to read as follows:

**1827.404 Basic rights in data clause.**

\* \* \* \* \*

(g) \* \* \*

(3) \* \* \*

(B) \* \* \*

(c) The concurrence of the Headquarters Office of Aerospace

Technology, Commercial Technology Division (Code RC) is obtained.

**PART 1844—SUBCONTRACTING POLICIES AND PROCEDURES****1844.302-71 [Amended]**

- 13. Amend section 1844.302-71 by removing paragraph (a) and redesignating paragraphs (b) and (c) as (a) and (b) respectively.

**PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES****1852.246-72 [Amended]**

- 14. Amend the clause at 1852.246-72 by—
- (a) Revising the date of the clause to read "August 2003"; and
- (b) Removing "1846.672-1" from the first sentence of paragraph (b) and adding "1846.6" in its place.

**PART 1872—ACQUISITIONS OF INVESTIGATIONS**

- 15. In section 1872.705, revise paragraph II (3) to read as follows:

**1872.705 Format of Announcement of Opportunity (AO).**

\* \* \* \* \*

**II. NASA's Safety Priority.**

\* \* \* \* \*

(3) The NASA workforce (including contractor employees working on NASA contracts); and

\* \* \* \* \*

[FR Doc. 03-19640 Filed 7-31-03; 8:45 am]

BILLING CODE 7510-01-U

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 635**

[Docket No. 030617153-3188-02; I.D. 061203E]

RIN 0648-AR29

**Atlantic Highly Migratory Species (HMS) Fisheries; Vessel Monitoring Systems**

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

**ACTION:** Final rule; reinstatement.

**SUMMARY:** This document reinstates the requirement to have a NOAA-approved, Vessel Monitoring System (VMS) unit installed and operating on any vessel

leaving port to fish for HMS with pelagic longline gear on board, effective September 1, 2003.

**DATES:** Section 635.69 was stayed indefinitely on October 1, 2000 (66 FR 1907, January 10, 2001), and is reinstated effective September 1, 2003.

**ADDRESSES:** To obtain copies of the list of NOAA-approved VMS mobile transmitting units and NOAA-approved VMS communications service providers, write to NMFS Office for Law Enforcement (OLE), 8484 Georgia Avenue, Suite 415, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** For information regarding the requirement contact Chris Rilling, Highly Migratory Species Management Division (F/SF1), Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, phone 301-713-2347. For current listing of approved VMS units contact Mark Oswell, Outreach Specialist, phone 301-427-2300, fax 301-427-2055. For questions regarding VMS installation and activation checklists, contact Jonathan Pinkerton, National VMS Program Manager, phone 301-427-2300, fax 301-427-2055.

The public may acquire this notice, installation checklist, and relevant updates via the "fax-back" service, or at the OLE Web site <http://www.nmfs.noaa.gov/ole/vms.html>.

**SUPPLEMENTARY INFORMATION:** On May 28, 1999, NMFS issued a regulation (64 FR 29090) codified at 50 CFR 635.69(a), requiring all commercial pelagic longline vessels fishing for Atlantic HMS to install a NMFS-approved VMS unit. Due to litigation, the requirement was stayed indefinitely on October 1, 2000 (66 FR 1907, January 10, 2001). On October 15, 2002, the U.S. District Court for the District of Columbia issued a final order upholding the VMS regulation. Following the favorable court ruling, NMFS began working to reinstate the VMS requirement.

On March 11, 2003, NMFS published a notice in the **Federal Register** (68 FR 11534) and corrected it on March 27, 2003 (68 FR 14949), to provide a list of the NMFS-approved VMS units for use by pelagic longline vessels in the Atlantic Highly Migratory Species (HMS) Fisheries and set forth relevant features of each VMS. The notification was issued to update and replace the approval notice published on September 9, 1999. An additional type approval notice was published on May 1, 2003 (68 FR 23285).

NMFS also submitted a request to the Office of Management and Budget