

considering the extent to which the conduct of the activity may diminish or enhance Sanctuary resources and qualities, any indirect, secondary or cumulative effects of the activity, and the duration of such effects;

(6) The proposed activity will be conducted in a manner compatible with the value of the Sanctuary as a source of recreation, or as a source of educational or scientific information considering the extent to which the conduct of the activity may result in conflicts between different users of the Sanctuary, and the duration of such effects;

(7) It is necessary to conduct the proposed activity within the Sanctuary to achieve its purposes;

(8) The reasonably expected end value of the activity to the furtherance of Sanctuary goals and purposes outweighs any potential adverse impacts on Sanctuary resources and qualities from the conduct of the activity; and

(9) Other matters deemed appropriate do not make the issuance of a permit for the activity inappropriate.

(e) It shall be a condition of any permit issued that the permit or a copy thereof be displayed on board all vessels or aircraft used in the conduct of the activity.

(f) The Director shall, *inter alia*, make it a condition of any permit issued that any data or information obtained under the permit be made available to the public.

(g) The Director may, *inter alia*, make it a condition of any permit issued to require the submission of one or more reports of the status and progress of such activity.

(h) The Director may, *inter alia*, make it a condition of any permit issued that a NOAA official be allowed to observe any activity conducted under the permit and/or that the permit holder submit one or more reports on the status, progress or results of any activity authorized by the permit.

[FR Doc. 03-27237 Filed 10-30-03; 8:45 am]  
BILLING CODE 3510-NK-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-128203-02]

RIN 1545-BA81

#### Partnership Transactions Involving Long Term Contracts; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to notice of proposed rulemaking.

**SUMMARY:** This document contains a correction to a proposed regulation that was published in the **Federal Register** on May 15, 2002 (68 FR 46516), relating to partnership transactions involving contracts accounted for under a long term contract method of accounting.

**FOR FURTHER INFORMATION CONTACT:** Richard Probst (202) 622-3060 (not a toll free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The proposed regulations that are the subject of this correction are under section 460 of the Internal Revenue Code.

##### Need for Correction

As published, the proposed regulations (REG-128203-02), contains an error that may prove to be misleading and is in need of clarification.

##### Correction of Publication

Accordingly, the publication of the proposed regulations (REG-128203-02), which are the subject of FR Doc. 03-18484, is corrected as follows:

On page 46518, column 1, in the preamble under the paragraph heading “1. Contribution of a Contract to a Partnership”, line 8 from the top of the column, the language “to the contract, and the contributes the” is corrected to read “to the contract, and then contributes the”.

##### Cynthia E. Grigsby,

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. 03-27498 Filed 10-30-03; 8:45 am]  
BILLING CODE 4830-01-P

## POSTAL SERVICE

### 39 CFR Part 111

#### Sender-Identified Mail: Enhanced Requirement for Discount Rate Mailings

AGENCY: Postal Service.

ACTION: Proposed rule; withdrawal.

**SUMMARY:** The proposal to require enhanced sender identification for all discount rate mailings published in the **Federal Register** on October 21, 2003 (Vol. 68, No. 203, pages 60052-60054), is withdrawn.

**DATES:** This notice is effective upon publication.

**FOR FURTHER INFORMATION CONTACT:** Joel Walker (703) 292-3652.

**SUPPLEMENTARY INFORMATION:** The Postal Service will issue a further notice regarding this proposal at a later date.

Neva R. Watson,

*Attorney, Legislative, Office of Legal Policy and Ratemaking.*

[FR Doc. 03-27466 Filed 10-30-03; 8:45 am]  
BILLING CODE 7710-12-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[Region 2 Docket No. PR11-267b; FRL-7580-9]

#### Approval and Promulgation of State Plans for Designated Facilities; Puerto Rico

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve the “State Plan” submitted by the Commonwealth of Puerto Rico to fulfill the requirements of sections 111(d)/129 of the Clean Air Act for Commercial and Industrial Solid Waste Incineration (CISWI) units. Specifically, the State Plan that EPA is proposing to approve, establishes emission limits for organics, carbon monoxide, metals, acid gases and particulate matter and compliance schedules for the existing CISWI units located in the Commonwealth of Puerto Rico which will reduce the designated pollutants. In the “Rules and Regulations” section of this **Federal Register**, EPA is approving Puerto Rico’s State Plan submittal, as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed 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.

**DATES:** Written comments must be received on or before December 1, 2003.

**ADDRESSES:** Comments may be submitted either by mail or electronically. Written comments

should be mailed to Raymond Werner, Chief, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007-1866. Electronic comments could be sent either to [Werner.Raymond@epa.gov](mailto:Werner.Raymond@epa.gov) or to <http://www.regulations.gov>, which is an alternative method for submitting electronic comments to EPA. Go directly to <http://www.regulations.gov>, then select "Environmental Protection Agency" at the top of the page and use the "go" button. Please follow the on-line instructions for submitting comments.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,  
Region 2 Office, Air Programs Branch,  
290 Broadway, 25th Floor, New York,  
New York 10007-1866.

Environmental Protection Agency,  
Region 2, Caribbean Environmental  
Protection Division, Centro Europa  
Building, Suite 417, 1492 Ponce De  
Leon Avenue, Stop 22, San Juan,  
Puerto Rico 00907-4127.

Puerto Rico Environmental Quality  
Board, National Plaza Building, 431  
Ponce De Leon Avenue, Hato Rey,  
Puerto Rico.

Environmental Protection Agency, Air  
and Radiation Docket and Information  
Center, Air Docket (6102), 401 M  
Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Kirk  
J. Wieber, Air Programs Branch,  
Environmental Protection Agency,  
Region 2 Office, 290 Broadway, 25th  
Floor, New York, New York 10007-  
1866, (212) 637-3381 or  
[Wieber.Kirk@epa.gov](mailto:Wieber.Kirk@epa.gov).

**SUPPLEMENTARY INFORMATION:** For  
additional information see the direct  
final rule which is located in the Rules  
section of this **Federal Register**.

Dated: October 14, 2003.

**Jane M. Kenny,**

*Regional Administrator, Region 2.*

[FR Doc. 03-27483 Filed 10-30-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 81

[CA 106-FOA; FRL-7580-7]

#### Approval and Promulgation of Implementation Plans and Determination of Attainment of the 1- Hour Ozone Standard for the San Francisco Bay Area, California, and Determination Regarding Applicability of Certain Clean Air Act Requirements

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to  
determine that the San Francisco Bay  
Area has attained the 1-hour ozone air  
quality standard by the deadline  
required by the Clean Air Act. Based on  
this proposal, we also propose to  
determine that the CAA's requirements  
for reasonable further progress,  
attainment demonstration, and  
contingency provisions are not  
applicable to the area for so long as the  
Bay Area continues to attain the 1-hour  
ozone standard.

**DATES:** Comments on this proposal must  
be received by December 1, 2003.

**ADDRESSES:** Please address your  
comments to:

Ginger Vagenas, Air Planning Office  
(AIR-2), Air Division, U.S. EPA, Region  
9, 75 Hawthorne Street, San Francisco,  
CA 94105-3901 or e-mail to  
[vagenas.ginger@epa.gov](mailto:vagenas.ginger@epa.gov), or submit  
comments at [http://  
www.regulations.gov](http://www.regulations.gov).

Copies of the docket for this  
rulemaking are available for public  
inspection during normal business  
hours at EPA's Region 9 office.

**FOR FURTHER INFORMATION CONTACT:**  
Ginger Vagenas, U.S. EPA Region 9,  
at (415) 972-3964, or  
[vagenas.ginger@epa.gov](mailto:vagenas.ginger@epa.gov)

#### SUPPLEMENTARY INFORMATION:

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

#### Table of Contents

- I. Attainment Finding
  - A. Bay Area's Ozone Designations and  
State Implementation Plans
  - B. Clean Air Act Provisions for Attainment  
Findings
  - C. Attainment Finding for the Bay Area
    - 1. Adequacy of the Bay Area Ozone  
Monitoring Network
    - 2. Bay Area's Ozone Design Value for the  
2001-2003 Period
  - D. Attainment Findings and  
Redesignations to Attainment
- II. Applicability of Clean Air Act Planning  
Requirements
  - A. EPA's Policy and its Legal Basis

- 1. Reasonable Further Progress
- 2. Attainment Demonstration
- 3. Contingency Measures
- 4. Remaining Nonattainment Area SIP  
Requirements
- B. Effects of the Proposed Determination  
on the Bay Area and Effects of a Future  
Violation on this Proposed  
Determination
- C. Effect of the Proposed Determination on  
Transportation Conformity
- III. Summary of EPA Actions
- IV. Administrative Requirements

#### I. Attainment Finding

##### A. Bay Area's Ozone Designations and State Implementation Plans

When the Clean Air Act (CAA)  
Amendments were enacted in 1990,  
each area of the country that was  
designated nonattainment for the 1-hour  
ozone National Ambient Air Quality  
Standard (NAAQS), including the San  
Francisco Bay Area ("Bay Area"), was  
classified by operation of law as  
marginal, moderate, serious, severe, or  
extreme depending on the severity of  
the area's air quality problem.<sup>1</sup> CAA  
sections 107(d)(1)(C) and 181(a). The  
Bay Area was classified as moderate.  
See 56 FR 56694 (November 6, 1991).

EPA redesignated the Bay Area to  
attainment in 1995, based on then  
current air quality data (60 FR 27029,  
May 22, 1995), and subsequently  
redesignated the area back to  
nonattainment without classification on  
July 10, 1998 (63 FR 37258), following  
renewed violations of the 1-hour ozone  
standard. Upon the Bay Area's  
redesignation to nonattainment, we  
required the State to submit a state  
implementation plan (SIP) addressing  
applicable CAA provisions, including a  
demonstration of attainment as

<sup>1</sup> The 1-hour ozone nonattainment area is the  
"San Francisco-Bay Area," which comprises  
Alameda, Contra Costa, Marin, Napa, San  
Francisco, San Mateo, and Santa Clara Counties,  
and portions of Solano and Sonoma Counties. See  
40 CFR 81.305 ([http://www.access.gpo.gov/nara/  
cfr/cfrhtml\\_00/Title\\_40/40cfr81\\_00.html](http://www.access.gpo.gov/nara/cfr/cfrhtml_00/Title_40/40cfr81_00.html)).

EPA's 1-hour ozone standard of 0.12 ppm was  
promulgated in 1979 (44 FR 8202, February 8,  
1979). On July 18, 1997, we promulgated a revised  
ozone standard of 0.08 ppm, measured over an 8-  
hour period. In general, the 8-hour standard is more  
protective of public health and more stringent than  
the 1-hour standard. This proposed finding  
addresses only the 1-hour standard. Areas will be  
designated attainment or nonattainment for the 8-  
hour standard in 2004.

Ground-level ozone can irritate the respiratory  
system, causing coughing, throat irritation, and  
uncomfortable sensations in the chest. Ozone can  
also reduce lung function and make it more difficult  
to breathe deeply, thereby limiting a person's  
normal activity. Finally, ozone can aggravate  
asthma and can inflame and damage the lining of  
the lungs, leading to permanent changes in lung  
function. More details on ozone's health effects and  
the ozone NAAQS can be found at the following  
Web site: [http://www.epa.gov/ttn/naaqs/standards/  
ozone/s\\_o3\\_index.html](http://www.epa.gov/ttn/naaqs/standards/ozone/s_o3_index.html).