

SUMMARY: The Office of Fossil Energy (FE) gives notice that it issued DOE/FE Order No. 1926 granting BG LNG Services, LLC authority to import up to 109 million British thermal units per year over a term of 22 years beginning on December 8, 2003. The liquefied natural gas (LNG) will be imported under a LNG Sale and Purchase Agreement with BG Gas Marketing LTD.

This Order may be found on the FE Web site at <http://www.fe.doe.gov> (select gas regulation). It is also available for inspection and copying in the Office of Natural Gas & Petroleum Import & Export Activities Docket Room, 3E-033, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0334, (202) 586-9478. The Docket 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, December 22, 2003.

Clifford Tomaszewski,

Manager, Natural Gas Regulation, Office of Natural Gas & Petroleum, Import & Export Activities, Office of Fossil Energy.

[FR Doc. 03-32145 Filed 12-30-03; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Filing

December 23, 2003.

In the matter of: ER03-1372-002, ER03-1372-001, ER02-1406-002, ER03-1207-001, ER00-891-003, ER03-287-001, ER00-33-004, ER02-1084-001, ER00-1372-002, ER02-2074-001, ER01-811-001, ER97-2153-013, ER00-2677-003, ER03-170-002, ER01-1302-003, ER03-1039-002, ER00-2117-002, ER00-2118-002, ER00-3751-002, ER00-1828-002, ER00-47-002, ER03-725-002, ER02-24-003, ER01-3103-004, ER01-3103-005, ER99-2781-004, ER02-40-003, ER02-1633-001, ER00-2398-005, ER99-2948-003, ER99-1522-002, ER02-669-003, ER99-3502-002, ER01-560-002, ER03-447-002, ER03-447-001, ER03-1284-001, ER03-25-001, ER02-506-003, ER02-2018-003, ER02-246-002, ER01-2104-004, ER00-38-004, ER03-597-002, ER03-290-001, ER00-1115-002, ER02-614-001, ER00-3562-002, ER03-36-002, ER02-1367-002, ER03-259-001, ER03-496-001, ER00-644-002, ER03-342-001, ER03-341-001, ER00-2917-003, ER03-736-002, ER01-2756-003, ER02-579-002, ER02-879-001, ER01-2301-003, ER98-651-002, ER98-4095-003, ER99-2541-004, ER02-2546-002, ER00-2885-003, ER01-2765-002, ER03-509-001, ER03-206-001, ER03-207-001, ER03-208-001, ER03-209-001, ER98-421-012, ER98-4055-009, ER00-1834-003, ER96-2506-006, ER96-2504-008, ER01-1820-005, ER01-1337-004, ER02-177-005, ER02-2569-003, ER03-1371-001, ER03-1369-001, ER03-1368-001, ER02-

1486-002, ER95-1739-021, ER03-1326-001, ER01-2659-003, ER00-1770-006, ER02-453-003, ER02-2567-003, ER00-2918-003, ER02-699-002, ER00-607-003, ER01-3017-004, ER01-1363-004, ER96-25-024, ER02-1959-001, ER01-915-001, ER02-2227-002, ER02-2310-001, ER02-963-003, ER03-880-001, ER03-882-001, ER03-879-001, ER96-149-009, ER03-657-002, ER02-600-002, ER99-2506-002, ER03-1123-001, ER97-324-006, ER99-616-002, ER03-1088-001, ER04-72-001, ER02-22-003, ER03-774-001, ER01-3055-003, ER95-428-025, ER03-394-003, ER02-723-001, ER02-1632-001, ER98-4381-007, ER02-564-001, ER02-862-002, ER96-2709-013, ER02-783-002, ER02-852-002, ER02-855-002, ER04-31-001, ER99-1764-004, ER4-135-001, ER02-23-003, ER02-2228-001, ER97-2463-003, ER03-1292-001, ER99-3450-005, ER99-2769-006, ER02-554-002, ER03-775-001, ER03-983-001, ER02-1903-002, ER03-179-003, ER03-1104-001, ER03-1332-001, ER02-1838-002, ER03-1103-001, ER03-1025-002, ER02-2120-002, ER01-2262-004, ER02-1173-001, ER03-908-001, ER03-439-001, ER03-352-002, ER03-352-002, ER99-1983-002, ER01-2688-004, ER03-833-001, ER99-705-002, ER02-2229-001, ER03-114-001, ER02-159-006, ER02-725-002, ER00-3696-003, ER97-3583-003, ER01-556-002, ER02-388-002, ER01-2159-004, ER02-1257-001, ER03-1159-001, ER02-1366-001, ER97-4381-007, ER01-2641-003, ER03-155-002, ER01-558-002, ER00-2333-002, ER02-1081-001, ER00-1026-007, ER02-267-001, ER02-2330-021, ER02-237-001, ER03-796-002, ER01-2689-004, ER01-3121-002, ER02-418-001, ER03-416-004, ER02-2230-001, ER01-2398-006, ER02-73-003, ER03-653-002, ER03-24-001, ER02-2366-001, ER97-2414-006, ER02-361-001, ER02-2408-001, ER95-851-005, ER03-438-002, ER02-309-002, ER99-830-008, ER03-427-003, ER99-4102-002, ER00-2592-002, ER02-256-001, ER01-1265-003, ER01-1266-003, ER01-1268-004, ER02-1213-002, ER01-1271-004, ER03-160-002, ER01-1272-003, ER01-1274-004, ER01-1275-003, ER02-1331-003, ER02-900-002, ER01-480-002, ER02-137-002, ER02-1582-001, ER03-951-003, ER01-1336-003, ER01-751-004, ER03-1315-002, ER02-737-001, ER02-77-001, ER99-221-006, ER00-2887-003, ER01-1654-004, ER02-2085-001, ER02-257-001, ER02-41-004, ER99-220-009, ER02-2080-001, ER01-2783-005, ER00-3240-002, ER98-3897-009, ER02-1021-003, ER00-1463-003, ER02-2435-002, ER03-198-001, ER97-504-010, ER97-2801-004, ER02-2231-001, ER02-580-002, ER03-372-001, ER03-191-001, ER02-2166-002, ER03-1370-002, ER03-568-002, ER95-430-025, ER02-417-001, ER03-845-001, ER02-26-003, ER02-1485-004, ER03-1109-003, ER03-1108-003, ER03-838-002, ER02-1885-001, ER01-1949-003, ER03-1151-001, ER01-48-003, ER02-1749-001, ER99-4503-003, ER02-1747-001, ER02-1325-001, ER02-1327-002, ER95-1096-023, ER01-2928-004, ER97-2374-015, ER03-674-001, ER03-745-001, ER03-618-001, ER03-382-001, ER01-3036-003, ER01-3035-003, ER02-1762-001, ER03-81-002, ER01-3109-003, ER03-49-001, ER03-611-001, ER99-970-003, ER03-1288-001, ER02-553-002, ER00-2080-002,

ER02-308-001, ER00-1517-003, ER02-556-002, ER03-295-001, ER02-537-003, ER99-2109-005, ER02-2202-004, ER03-42-003, ER02-258-001, ER99-1261-005, ER01-2887-002, ER02-2263-002, ER02-2400-001, ER03-922-002, ER99-3427-005, ER03-1212-003, ER02-1342-002, ER96-2869-006, ER02-2558-001, ER00-840-003, ER94-389-023, ER03-175-005, ER00-1780-003, ER00-1171-002, ER02-25-003, ER01-852-002, ER02-820-001, ER99-3333-005, ER99-1744-004, ER02-360-001, ER02-973-001, ER99-2817-002, ER02-2042-002, ER02-999-003, ER97-2462-013, ER01-557-002, ER02-2101-001, ER02-1336-002, ER03-1283-002, ER03-1283-003, ER00-2839-001, ER03-28-001, ER03-398-002, ER02-1884-001, ER03-1375-001, ER01-3118-002, ER01-3117-002, ER02-1052-002, ER01-559-002, ER02-2232-001, ER98-411-011, ER03-54-001, ER02-2199-001, ER03-55-001, ER03-56-001, ER02-1028-002, ER01-205-003, ER01-2941-001, ER02-2610-001, ER02-1512-001, ER02-1319-001:

Acadia Power Partners, LLC, Acadia Power Partners, LLC, AES Delano, Inc., AES Delano, Inc., AES Placerita, Inc., AES Placerita, Inc., Alcan Power Marketing, Inc., Alcoa Power Generating Inc., Alcoa Power Marketing Inc., Allegheny Energy Supply Company, LLC, Amerada Hess Corporation, American Ref-Fuel Co. of Delaware Valley, L.P., American Ref-Fuel Co. of Essex County, American Ref-Fuel Company of Niagara, L.P., AmPro Energy Wholesale, Inc., ANP Bellingham Energy Company, ANP Blackstone Energy Company, ANP Funding I, L.L.C., ANP Marketing Company, Aquila Long Term, Inc., Aquila Piatt County Power L.L.C., Armstrong Energy Limited Partnership, LLLP, Astoria Energy, LLC, Astoria Generating Company, L.P., Atlantic City Electric Co., Attala Energy Company, LLC, Auburndale Peaker Energy Center, LLC, Baconton Power LLC, Baltimore Gas and Electric Company, Bangor Hydro-Electric Co, Bayswater Peaking Facility, LLC, Berkshire Power Company, LLC, Big Sandy Peaker Plant, LLC, Black Oak Energy, LLC, Black Oak Energy, LLC, Blue Canyon Windpower, LLC, Blue Spruce Energy Center, LLC, Bluegrass Generation Company, L.L.C., Blythe Energy, LLC, Boston Edison Co., Cambridge Electric Light & Cambridge Electric Co., Brascan Energy Marketing Inc., Broad River Energy LLC, Brookhaven Energy Limited Partnership, Calpine California Equipment Finance Company, LLC, Calpine Construction Finance Company, L.P., Calpine Energy Services, L.P., Calpine Energy Services, L.P., Calpine Northbrook Energy Marketing, LLC, Calpine Oneta Power, L.P., Calpine Parline, LLC, Calpine Parline, LLC, Calpine Philadelphia, Inc., Calpine PowerAmerica—CA, LLC, Calpine PowerAmerica—OR, LLC, Calvert Cliffs Nuclear Power Plant, Inc., CAM Energy Products, LP, Camden Cogen, L.P., Capital District Energy Center Cogeneration Association, Carolina Power & Light Company, Carolina Power & Light Company, Carr Street Generating Station, L.P., Cathage Energy LLC, CED Rock Springs, Inc., Cedar Brakes I, L.L.C., Cedar Brakes II, L.L.C., Centennial Power, Inc., CES Marketing II, LLC, CES

Marketing III, LLC, CES Marketing IV, L.P., CES Marketing V, L.P., CinCap IV, LLC, CinCap V, LLC, CinCap VIII, LLC, Cincinnati Gas & Electric Company / PSI Energy, Inc., Cincinnati Gas & Electric Company / PSI Energy, Inc., Cincinnati Gas & Electric Company and PSI Energy, Inc., Cinery Capital & Trading, Inc., Cinery Power Investments, Inc., Clark Fork and Blackfoot, L.L.C., Cleco Evangeline LLC, Cleco Marketing & Trading LLC, Cleco Power LLC, Cogen Technologies NJ Venture, Cogentrix Energy Power Marketing, Inc., Colorado Green Holdings LLC, Combined Locks Energy Center, LLC, Conectiv Atlantic Generation, LLC & Conectiv Delmarva Generation, Inc., Conectiv Bethlehem, LLC, Constellation NewEnergy, Inc., Constellation Power Source Generation, Inc., Constellation Power Source Maine, LLC, Constellation Power Source, Inc., Coral Canada U.S. Inc., Coral Energy Management, LLC, Coral Power, L.L.C., CPN Bethpage 3rd Turbine, Inc., CPN Pleasant Hill, LLC and CPN Pleasant Hill Operating, LLC, Creed Energy Center, LLC, Crescent Ridge LLC, Crete Energy Venture, LLC, D.E. Shaw & Co. Energy, L.L.C., D.E. Shaw Plasma Power, L.L.C., D.E. Shaw Plasma Trading, L.L.C., Dartmouth Power Associates Limited Partnership, DB Energy Trading LLC, Delta Energy Center, LLC, Deseret Generation & Transmission Co-operative, Inc., Deseret Generation & Transmission Co-operative, Inc., Detroit Edison Company, Dighton Power Associates, L.P., Direct Energy Marketing Inc., Dispersed Generating Company, LLC, Dresden Energy, LLC, Eagle Energy Partners I, L.P., Eagle Point Cogeneration Partnership, El Paso Merchant Energy, L.P., Elk Hills Power, LLC, Emera Energy Services, Inc., Energy America LLC, Energy Atlantic, LLC, Entergy Nuclear Vermont Yankee, LLC, Entergy Power Ventures, L.P., Entergy Services, Inc., EPCOR Merchant and Capital (US) Inc, EPCOR Power Development Inc., EPDC, Inc., Epic Merchant Energy, L.P., Erie Boulevard Hydropower, L.P., Eurus Combine Hills LLC, Fairless Energy, LLC, Feather River Energy Center, LLC, Fitchburg Gas and Electric Light Company, Florida Power & Light Company, Foote Creek II, LLC, Foote Creek III, LLC, Foothills Generating, L.L.C., FortisOntario, Inc., Fox Energy Company, LLC, FPL Energy Marcus Hook, L.P., FPL Energy New Mexico Wind, LLC, FPL Energy North Dakota Wind, LLC, FPL Energy Oklahoma Wind, LLC, FPL Energy Seabrook, LLC, FPL Energy South Dakota Wind, LLC, FPL Energy Wyoming, LLC, FPLE Rhode Island State Energy, LP, Frederickson Power L.P., Front Range Power Company, LLC, Fulcrum Power Marketing LLC, Fulton Cogeneration Associates, L.P., GenWest, LLC, GenWest, LLC, Geysers Power Company, LLC, Gilroy Energy Center, LLC, Global Common Greenport, LLC, Golden Spread Electric Cooperative, Inc., Goose Haven Energy Center, LLC, Great Bay Power Marketing, Inc., Great Lakes Hydro America, LLC, Great Plains Power, Inc., Griffith Energy LLC, GS Electric Generating Cooperative, Inc., Handsome Lake Energy, LLC, HC Power Marketing LLC, Hermiston Generating Company, L.P., Hermiston Power Partnership, Hershey Chocolate & Confectionary Corp., Hess Energy Power &

Gas Company, LLC, Hess Energy, Inc., High Desert Power Project, LLC, High Winds, LLC, Holland Energy, LLC, Horsehead Industries, Inc., Indeck-Oswego Limited Partnership, Indianapolis Power & Light Company, Intercom Energy, Inc., ISO New England, Inc., J. Aron & Company, Katahdin Paper Company LLC, King City Energy Center, LLC, Klamath Energy LLC, Klamath Generation LLC, Klondike Wind Power LLC, Lambie Energy Center, LLC, Liberty Electric Power, LLC, Llano Estacado Wind, LP, LMP Capital, LLC, Los Esteros Critical Energy Facility, LLC, Louis Dreyfus Energy LLC, Lowell Cogeneration Company Limited Partnership, Lowell Cogeneration Company Limited Partnership, Lower Mount Bethel Energy, LLC, Maine Public Service Co., ManChief Power Company, L.L.C., MEP Clarksdale Power, LLC, Merrill Lynch Capital Group, Inc., Mesquite Power, LLC, Milford Power Company, LLC, Milford Power Limited Partnership, Mill Run Windpower, LLC, Mirant Americas Energy Marketing, LP, Mirant Bowline, LLC, Mirant Canal, LLC, Mirant Energy Trading, LLC, Mirant Kendall, LLC, Mirant Las Vegas, LLC, Mirant Lovett, LLC, Mirant New England, LLC, Mirant NY-Gen, LLC, Mirant Oregon, LLC, Mirant Sugar Creek, LLC, Mobile Energy, LLC, Mohawk River Funding III, L.L.C., Mohawk River Funding IV, L.L.C., Moraine Wind LLC, Mountain View Power Partners II, LLC, Mountain View Power Partners, LLC, MS Retail Development Corp, MxEnergy Inc., New Mexico Electric Marketing, LLC, New York State Electric & Gas Corporation, Newark Bay Cogeneration Partnership, L.P., Nine Mile Point Nuclear Station, LLC, Northern Iowa Windpower II LLC, Northern Iowa Windpower, LLC, NorthWestern Energy Marketing, LLC, NYSEG Solutions, Inc., Ocean Peaking Power, LLC, ODEC Power Trading, Inc., Oleander Power Project, Limited Partnership, ONEOK Energy Marketing and Trading Company, L.P., Ontario Energy Trading International Corporation, Orion Power Midwest, L.P., Orion Power New York GP II, Inc., Pacific Gas and Electric Company, Pacific Northwest Generating Cooperative, PacifiCorp, Pajaro Energy Center, LLC, Pawtucket Power Associates Limited Partnership, Peak Power Generating Company, Inc., Peaker LLC, Pennsylvania Windfarms, Inc., Perryville Energy Partners, L.L.C., Phelps Dodge Energy Services, LLC, Philbro, Inc., Phoenix Wind Power LLC, Pinpoint Power, LLC, Pleasants Energy, LLC, Power Contract Finance, L.L.C., Power Contract Financing II, Inc., Power Contract Financing II, L.L.C., Power Contract Financing, L.L.C., Power Development Company, L.L.C., Power Provider LLC, Power Receivable Finance, LLC, Powerex Corp, PPL Edgewood Energy, LLC, PPL Great Works, LLC, PPL Shoreham Energy, LLC, PPL Sundance Energy, LLC, PPL University Park, LLC, PPM Energy, Inc., Progress Ventures, Inc., Quark Power L.L.C., Quest Energy, LLC, Reliant Energy Bighorn, LLC, Reliant Energy Choctaw County, Reliant Energy Electric Solutions, LLC, Reliant Energy Hunterstown, LLC, Reliant Energy Seward, LLC, Reliant Energy Solutions East, LLC, Reliant Energy Solutions West, LLC, Renaissance Power, L.L.C., Riverside Energy Center, LLC,

Riverview Energy Center, LLC, RockGen Energy, LLC, Rocky Mountain Energy Center, LLC, Rolling Hills Generating, L.L.C., Rumford Power Associates, L.P., RWE Trading Americas, Inc., San Joaquin Cogen Limited, Select Energy New York, Inc., SESCO Enterprises, LLC, Shady Hills Power Company, LLC, Shell Energy Services Company, L.L.C., Sithe Energy Marketing, L.P., Sithe/Independence Power Partners, L.P., Somerset Windpower, LLC, South Glens Falls Energy, LLC, South Point Energy Center, LLC, Southern California Edison Company, Southern California Water Company, Southaven Power, LLC, SOWEGA Power LLC, St. Paul Cogeneration, LLC, State Line Energy, L.L.C., State Line Energy, L.L.C., SWEPI LP, Tenaska Alabama Partners, L.P., Tenaska Power Services Co., Termoelectrica U.S., LLC, Texas Electric Marketing, LLC, Tiverton Power Associates, L.P., Troy Energy, LLC, Twelvetree Creek, LLC, TXU Pedricktown Cogeneration Company LP, TXU Portfolio Management Company LP, UAE Lowell Power LLC, UAE Lowell Power LLC, UBS AG, UGI Development Company, UGI Utilities, Inc., Unitil Power Corp., Unitil Resources, Inc., University Park Energy, LLC, Utility Contract Funding, L.L.C., Vandolah Power Company, L.L.C., Vineland Energy LLC, Vineland Energy, LLC, Virginia Electric and Power Company, Walton County Power, LLC, Washington County Power LLC, Waterside Power, L.L.C., Waymart Wind Farm L.P., Wellhead Power Gates, LLC, Wellhead Power Panoche, LLC, West Georgia Generating Company, LLC, Wolf Hills Energy, LLC, Wolfskill Energy Center, LLC, Wolverine Power Supply Cooperative, Inc., WPS Beaver Falls Generation, LLC, WPS Empire State, Inc., WPS Niagara Generation, LLC, WPS Syracuse Generation, LLC, Wrightsville Power Facility, LLC, Xcel Energy Services, Xcel Energy Services, XL Weather & Energy Inc., Yuba City Energy Center, LLC, Zion Energy LLC.

Take notice that on December 15, 16, and 17, 2003, the above referenced companies submitted a compliance filing in response to the Commission's November 17, 2003 Order Amending Market-based Rate Tariffs and Authorizations, in Docket No. EL01-118-000 and 001.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person

designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the eLibrary (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Comment Date: January 14, 2004.

Linda Mitry,

Acting Secretary.

[FR Doc. E3-00662 Filed 12-30-03; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7604-6]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit DuPont Dow Elastomers, L.L.C.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition to object to State operating permit.

SUMMARY: This notice announces that the EPA Administrator has denied the petition to object to a State operating permit issued by the Louisiana Department of Environmental Quality (LDEQ) for the chloroprene plant at DuPont Dow Chemical Company in La Place, Louisiana. Pursuant to section 505(b)(2) of the Clean Air Act (Act), the petitioner may seek judicial review of this petition response in the United States Court of Appeals for the Fifth Circuit. Any petition must be filed within 60 days of the date this notice appears in the **Federal Register**, pursuant to section 307(d) of the Act.

ADDRESSES: You may review copies of the final order, the petition, and other supporting information at the Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. The final order is also available electronically at the following address: <http://www.epa.gov/>

region07/programs/artd/air/title5/petitiondb/petitiondb2001.htm.

FOR FURTHER INFORMATION CONTACT: Ms. Bonnie Braganza, Air Permitting Section, Multimedia Planning and Permitting Division, U.S. EPA, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-7340, or e-mail at braganza.bonnie@epa.gov.

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review, and object as appropriate to, operating permits proposed by State permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this review period to object to State operating permits if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

The Louisiana Environmental Action Network submitted a petition requesting that the Administrator object to a title V operating permit issued by LDEQ to DuPont Dow Chemical Company, for the chloroprene unit at the DuPont Dow Elastomer's facility, in La Place, Louisiana.

The petitioner requested that the Administrator object to the DuPont Dow permit based on the following broad assertions:

1. LDEQ's interpretation of 40 Code of Federal Regulations (CFR) 63.115 is inconsistent with the Act's goal of protecting public health;
2. LDEQ's interpretation would result in increased discharges of halogenated organic hazardous air pollutants (HAP), an "extremely dangerous" class of pollutants;
3. LDEQ's interpretation results in greater controls of nonhalogenated vent streams relative to halogenated vent streams;
4. A rational interpretation of 40 CFR 63.115 must result in a Group 1 classification and the accompanying control requirements;
5. LDEQ has misinterpreted 40 CFR 63.115.

On November 20, 2003, the Administrator issued an order denying the petition. The order explains the reasons for the Administrator's decision.

Dated: December 18, 2003.

Lawrence E. Starfield,

Acting Regional Administrator, Region 6.

[FR Doc. 03-32215 Filed 12-30-03; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[AMS-FRL-7605-7]

California State Motor Vehicle Pollution Control Standards; Within the Scope Requests; Opportunity for Public Hearing and Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of opportunity for public hearing and public comment.

SUMMARY: The California Air Resources Board (CARB) has notified EPA that it has approved amendments to its regulations establishing certification requirements and procedures for heavy-duty diesel engines and vehicles. The amendments require heavy-duty engines and vehicles (except urban buses) to meet a new mandatory oxides of nitrogen (NO_x) standard in 1998 and subsequent model years and establish optional NO_x standards beginning with the 1995 model year. CARB's amendments also provide a new definition of useful life for these vehicles and require new information within California's motor vehicle emission control label. CARB requests that EPA confirm CARB's finding that its amendments are within-the-scope of previous waivers issued by EPA under section 209(b) of the Clean Air Act (Act), 42 U.S.C. 7543(b), including a waiver of Federal preemption for California's heavy-duty diesel powered engines and vehicles, which EPA approved on March 4, 1988.

CARB has also notified EPA that it has approved amendments to its regulations establishing certification requirements and procedures for heavy-duty diesel engines and vehicles defined as urban buses. These amendments update the emission standards for particulate matter (PM) and NO_x for urban buses and align California's PM standards with Federal standards for such engines in the 1994 and 1995 model years. These amendments also align California PM standards with the Federal PM standard for 1996 and later model years and California's NO_x standard with Federal standards starting in the 1996 model year. The amendments also provide for an optional, more stringent, NO_x emission standard beginning with the 1994 model year. CARB's amendments also provide a new definition of useful life for these vehicles and require new information within California's motor vehicle emission control label. CARB requests that EPA confirm CARB's finding that its amendments are within-the-scope of previous waivers issued by