

flexibility. Revised part 205 allows small coatings manufacturers to request a limited exemption to the VOC content limits prescribed in part 205. This request must be submitted to NYSDEC and include a demonstration of the inability to produce coatings that meet the VOC content limits based on economic and/or technical feasibility. Limited exemptions for small coatings manufacturers that are approved by NYSDEC must be submitted to EPA as SIP revisions, as required by part 205.

### III. What Is EPA's Conclusion?

EPA has evaluated New York's submittal for consistency with the Act, EPA regulations, and EPA policy. EPA has determined that the proposed revisions made to part 205, entitled, "Architectural and Industrial Maintenance Coatings" meet the SIP revision requirements of the Act.

### IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This proposed action merely proposes to approve state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule proposes to approve pre-existing requirements under state law, does not impose any additional enforceable duty beyond that required by state law, and does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4).

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the states,

on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Act. This proposed rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Act. In this context, in the 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 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, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: January 7, 2004.

**Kathleen Callahan,**

*Acting Regional Administrator, Region 2.*  
[FR Doc. 04-1044 Filed 1-15-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 70

[CA 111-OPPb; FRL-7611-1]

### Clean Air Act Proposed Full Approval of the Title V Operating Permit Program for Antelope Valley Air Pollution Control District in California

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to fully approve the operating permit program submitted by the California Air Resources Board (CARB) on behalf of Antelope Valley Air Pollution Control District (Antelope Valley APCD or the District). The operating permit program was submitted in response to the directive in the 1990 Clean Air Act (CAA) Amendments that permitting authorities develop, and submit to EPA, programs for issuing operating permits to all major stationary sources and to certain other sources within the permitting authority's jurisdiction. EPA granted final interim approval to the District's operating permit program on December 19, 2000 (65 FR 79314). Of the three deficiencies noted by EPA, two were corrected by Antelope Valley APCD in a timely manner. The third deficiency was resolved on September 22, 2003, when the Governor of California signed SB 700, revising State law by removing the agricultural permitting exemption. Though interim approval of the District's operating permit program expired on January 21, 2003, and EPA implemented a federal operating permit program for Antelope Valley APCD, all three deficiencies are now resolved. Therefore, this action proposes full approval of the District's operating permit program.

**DATES:** Comments on this proposal must be received by February 17, 2004.

**ADDRESSES:** Written comments on this proposal may be submitted either by mail or electronically. By mail, comments should be addressed to Gerardo Rios, Permits Office Chief, Air Division (AIR-3), EPA Region IX, 75 Hawthorne Street, San Francisco, California, 94105. Electronically, comments should be sent by e-mail to [rios.gerardo@epa.gov](mailto:rios.gerardo@epa.gov), or submitted at <http://www.regulations.gov>.

You can inspect copies of the program submittals, and other supporting documentation relevant to this action, at our Region IX office during normal business hours by appointment.

**FOR FURTHER INFORMATION CONTACT:** Gerardo Rios, EPA Region IX, (415) 972-3974, [rios.gerardo@epa.gov](mailto:rios.gerardo@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the District's operating permit program. In the Rules and Regulations section of this **Federal Register**, we are approving the program in a direct final action without prior proposal because we believe the revisions made to the program to resolve the interim approval deficiencies are noncontroversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in a

subsequent action based on this proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this program and if that provision may be severed from the remainder of the program, we may adopt as final those provisions of the program that are not the subject of an adverse comment.

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: January 6, 2004.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

40 CFR part 70, chapter I, title 40 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 70—[AMENDED]**

1. The authority citation for part 70 continues to read as follows:

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

2. Appendix A to part 70 is amended by adding paragraph (ii) under California to read as follows:

**Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs**

\* \* \* \* \*

*California*

\* \* \*

(ii) Antelope Valley APCD:

(1) Complete submittal received on January 26, 1999; interim approval effective January 18, 2001; interim approval expires January 21, 2003.

(2) Revisions were submitted on October 22, 2001 and June 17, 2002. Due to unresolved deficiency of state-exempt major stationary agricultural sources, interim approval expired for all major stationary sources, effective January 21, 2003.

(3) Revision submitted on November 7, 2003 containing program for major stationary

agricultural sources, effective on January 1, 2004.

\* \* \* \* \*

[FR Doc. 04-1041 Filed 1-15-04; 8:45 am]

**BILLING CODE 6560-50-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Part 4100**

**[WO-220-1020-24 1A]**

**RIN 1004-AD42**

**Grazing Administration B Exclusive of Alaska**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Proposed rule; correction; extension of comment period.

**SUMMARY:** The Bureau of Land Management (BLM) is extending the public comment period on a proposed rule published in the **Federal Register** on December 8, 2003 (68 FR 68452). This will allow additional time for public comment following publication on January 6, 2004, of the Draft Environmental Impact Statement associated with this proposed rule. BLM is also announcing public meetings on the Draft Environmental Impact Statement, and correcting the proposed rule to conform it to a final rule published recently by the Office of Hearings and Appeals, Department of the Interior.

**DATES:** You must submit your comments by March 2, 2004. BLM may not necessarily consider or include in the Administrative Record for the proposed rule comments that BLM receives after the close of the comment period or comments delivered to an address other than those listed below (*see ADDRESSES*). *See the SUPPLEMENTARY INFORMATION section for the dates and locations of the public meetings.*

**ADDRESSES:** Mail: Director (630), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153, Attention: RIN 1004-AD42. Personal or messenger delivery: 1620 L Street, NW., Room 401, Washington, DC 20036. Direct Internet response: [www.blm.gov/nhp/news/regulatory/index.html](http://www.blm.gov/nhp/news/regulatory/index.html), or at <http://www.blm.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Visser at (775) 861-6464, for information relating to the grazing program or the substance of the proposed regulation, or Ted Hudson at (202) 452-5042 or Cynthia Ellis at (202) 452-5012 for information relating to the rulemaking process. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8330, 24 hours a day, seven days a week, to contact the above individuals.

**SUPPLEMENTARY INFORMATION:**

BLM published the proposed rule on December 8, 2003 (68 FR 68452), and provided a 60-day comment period that will end on February 6, 2004. We are extending the comment period on this proposed rule until March 2, 2004, to allow the public additional time to provide us with their comments. On January 6, 2004, BLM published in the **Federal Register** (69 FR 569) a Notice of Availability of the Draft Environmental Impact Statement (Draft EIS) under the National Environmental Policy Act on the changes we are considering making to the regulations governing BLM's Grazing Administration Program. BLM is planning 6 public meetings to provide the public with the opportunity to comment on the scope, proposed action, and possible alternatives BLM considered when developing the Draft EIS. The dates, times and locations of these meetings are shown in the table below:

Location	Date and Time	Address of Meeting	Contact Person
Salt Lake City, UT .....	Tuesday, January 27, 2004, 6 p.m. to 10 p.m..	Marriott Hotel, 75 South West Temple, Salt Lake City, UT 84101.	Laura Williams (801) 539-4027.
Phoenix, AZ .....	Wednesday, January 28, 2004, 6 p.m. to 10 p.m..	Wyndham Phoenix Hotel, 50 East Adams Street, Phoenix, AZ 85004.	Deborah Stevens, (602) 417-9215.
Boise, ID .....	Saturday, January 31, 2004, 1 p.m. to 5 p.m..	Doubletree Riverside Hotel, Tamarack Room, 2900 Chinden Boulevard, Boise, ID 83714.	Cheryle Zwang, (208) 373-4016.
Billings, MT .....	Monday, February 2, 2004, 6 p.m. to 10 p.m..	Holiday Inn Grand Montana, 5500 Midland Road, Billings, MT 59101.	Mary Apple, (406) 896-5258.
Cheyenne, WY .....	Tuesday, February 3, 2004, 6 p.m. to 10 p.m..	Little America, West America Ballroom, 2800 West Lincoln Way, Cheyenne, WY 82009.	Cindy Wertz, (307) 775-6014.
Washington, DC .....	Thursday, February 5, 2004, 1 p.m. to 5 p.m..	Courtyard by Marriott-Embassy Row, 1600 Rhode Island Avenue, Washington, DC 20036.	Tom Gorey, (202) 452-5137.