

## LOCAL AIR POLLUTION CONTROL RULES—Continued

Rule	Title	Submittal date	Approval date
<b>Yolo-Solano Air Pollution Control District</b>			
3.1 .....	General Permit Requirements: .....	.....	.....
403 .....	Denial of Applications .....	10/19/94	07/07/97
406 .....	Appeals .....	10/19/04	07/07/97
5.18 .....	Lack of Permit .....	07/25/73	06/14/78

**III. Proposed Action, Public Comment and Final Action**

EPA has reviewed the rules listed in the tables above and determined that they were previously approved into the applicable California SIP in error. Deletion of these rules will not relax the applicable SIP and is consistent with the Act. Therefore, EPA is proposing to delete these rules under Section 110(k)(6) of the Act, which provides EPA authority to remove these rules without additional State submission. We will accept comments from the public on this proposal for the next 30 days. Unless we receive new information during the comment period supporting the maintenance of these rules in the SIP, we intend to publish a final action that will delete these rules from the federally enforceable SIP.

**IV. Administrative Requirements**

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 proposed 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 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.*). Because this proposed rule does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). This rule also does 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), nor will it 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), because it does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This proposed rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In this proposed rule, EPA is not developing or adopting a technical standard. 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, Reporting and recordkeeping requirements.

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

Dated: December 10, 2003.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

[FR Doc. 04-1234 Filed 1-21-04; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[CA275-0423b; FRL-7609-3]

**Revisions to the California State Implementation Plan, South Coast Air Quality Management District**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the South Coast Air Quality Management District portion of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from food product manufacturing and processing, recordkeeping for VOC sources, and particulate matter (PM) emissions from woodworking operations. We are proposing to approve local rules to regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** Any comments on this proposal must arrive by February 23, 2004.

**ADDRESSES:** Send comments to Andy Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901 or e-mail to [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov), or submit comments at <http://www.regulations.gov>.

You can inspect copies of the submitted SIP revisions, EPA's technical support documents (TSDs), and public comments at our Region IX office during normal business hours by appointment. You may also see copies of the submitted SIP revisions by appointment at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814; and, South Coast Air Quality Management District, 21865 East Copley Drive, Diamond Bar, CA 91765-4182.

A copy of the rule may also be available via the Internet at <http://www.arb.ca.gov/drdb/drdbltx.htm>. Please be advised that this is not an EPA Web site and may not contain the same version of the rule that was submitted to EPA.

**FOR FURTHER INFORMATION CONTACT:** Jerald S. Wamsley, EPA Region IX, at either (415) 947-4111, or [wamsley.jerry@epa.gov](mailto:wamsley.jerry@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the following local rules: SCAQMD Rule 1131—Food Product Manufacturing and Processing Operations, SCAQMD Rule 109—Record Keeping for Volatile Organic Compound

Emissions, SCAQMD Rule 1137—PM-10 Emission Reductions from Woodworking Operations. In the Rules and Regulations section of this **Federal Register**, we are approving these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. However, if we receive adverse comments, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule 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: December 4, 2003.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

[FR Doc. 04-1038 Filed 1-21-04; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 2 and 25

[IB Docket No. 02-10, FCC No. 03-286]

#### Procedures To Govern the Use of Satellite Earth Stations on Board Vessels in the 5925-6425 MHz/3700-4200 MHz Bands and 14.0-14.5 GHz/11.7-12.2 GHz Bands

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document is a summary of the Notice of Proposed Rulemaking adopted by the Commission in this proceeding. The Commission sought comment on proposals that seek to provide regulatory certainty to both terrestrial fixed service (FS) and fixed satellite service (FSS) operators in the C- and Ku-bands by protecting existing terrestrial FS and FSS operations from harmful interference that may be caused by ESVs; by allowing for future growth of FS and FSS networks; and by promoting more efficient use of the spectrum by permitting new uses of the bands by ESVs, thereby enabling important new communications services to be provided to consumers on board

vessels. The Commission also sought comment on rules and procedures to license ESV networks in the C- and Ku-band frequencies over GSO FSS satellites.

**DATES:** Comments are due to be filed by February 23, 2004, and reply comments are due to be filed by March 8, 2004. OMB, the general public, and other Federal agencies are invited to comment on the information collection requirements on or before March 22, 2004.

**FOR FURTHER INFORMATION CONTACT:** Belinda Nixon, Breck Blalock, or James Ball, Policy Division, International Bureau, (202) 418-1460. For information concerning the information collection(s) contained in this document, contact Judith B. Herman at 202-418-0214, or via the Internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rulemaking* in IB Docket No. 02-10, FCC No. 03-286, adopted November 12, 2003 and released on November 24, 2003. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The document is also available for download over the Internet at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-03-286A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-03-286A1.pdf). The complete text may also be purchased from the Commission's copy contractor, Qualex International, in person at 445 12th Street, SW., Room CY-B402, Washington, DC 20554, via telephone at (202) 863-2893, via facsimile at (202) 863-2898, or via e-mail at [qualexint@aol.com](mailto:qualexint@aol.com).

This Notice of Proposed Rulemaking (NPRM) contains proposed new or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-3. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the modified information collections contained in this proceeding.

#### Summary of Notice of Proposed Rulemaking

In December 1991, Crescomm Transmission Services, Inc. (Crescomm), now Maritime Telecommunications Network (MTN) filed a Petition for Rulemaking to license ESVs in the C-band and Ku-band. In 1996, the IB and OET granted waivers of the Commission's rules to Qualcomm, Inc.

(Qualcomm) and MTN to provide mobile-satellite service (MSS) using bands allocated to FSS and FS. The authorization placed conditions on the licenses, requiring them to protect against interference to, and accept interference from, other services or operations in the bands. Since that time, the Commission has authorized ESVs on U.S.-flagged vessels to operate pursuant to six month special temporary authorizations (STAs). The STAs require ESV service providers to operate on a non-harmful interference basis with respect to other radiocommunication services in the C-band and the Ku-band. In February, 2002, the Commission issued a Notice of Inquiry seeking comment on issues surrounding the operations and possible licensing of ESVs. The NOI focused on the bands that can best accommodate ESVs and on how to prevent interference to FS licensees.

In the Ku-band, the NPRM proposes to permit ESV operations on a primary basis with respect to other operations in the band. This band is extensively used by the FSS for VSAT operations. Various other satellite and terrestrial operations exist in the band to a lesser extent under other allocations. The NPRM seeks comment on how ESVs will co-exist with the other operations. The NPRM also seek comment on the following proposed requirements: Ku-band ESV networks would have automatic shut-off capability; ship location information would be provided to other operators in the Ku-band to identify and eliminate harmful interference that may be caused by an ESV; ESV equipped vessels must be 300 gross tons or larger; technical limitations to ensure compliance with two degree spacing and to prevent interference including: minimum antenna diameter of 1.2 meters, antenna pointing accuracy requirements, the NPRM proposes that Ku-band ESVs be authorized for a fifteen-year license term.

The NPRM proposes domestic rules that would authorize ESVs to operate on NIB in the C-band. The C-band is shared on a co-primary basis between the GSO FSS and terrestrial FS. The NPRM proposes that ESVs could be licensed following two approaches to address coordination issues between the ESVs and FS, the Coordination Approach and the Non-Coordination Approach. Under the Coordination Approach, ESVs operators would coordinate with FS operations prior to receiving a license for ES operations located within 300 kilometers of the United States coastline. ESVs would operate on a non-harmful interference basis with respect