

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. A new temporary § 165.T09-027 is added to read as follows:

§ 165.T09-027 Safety Zone; Lake Huron, Harbor Beach, MI.

(a) *Location.* The safety zone will encompass all waters of Lake Huron within a 300-yard radius of the fireworks launch platform in approximate position 43°51'00" N, 082°38'15" W (NAD 83).

(b) *Effective period.* This temporary final rule is effective from 8 p.m. until 11 p.m. on July 17, 2004.

(c) *Regulations.* In accordance with the general regulations in section 165.23 of this part, entry into this safety zone is prohibited unless authorized by the Coast Guard Captain of the Port Detroit or his designated on-scene representative. The designated on-scene Patrol Commander may be contacted via VHF Channel 16.

Dated: June 9, 2004.

P.G. Gerrity,

Commander, U.S. Coast Guard, Captain of the Port Detroit.

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BILLING CODE 4910-15-P

POSTAL SERVICE

39 CFR Parts 265 and 266

Release of Information, Privacy of Information

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This rule amends the Postal Service regulations on the release of information and the privacy of information to correct provisions overlooked in a previous general revision of the rules dealing with records and information.

DATES: *Effective Date:* June 23, 2004.

FOR FURTHER INFORMATION CONTACT: Jane Eyre at 202-268-2608.

SUPPLEMENTARY INFORMATION: On October 1, 2003, the Postal Service published a general revision of its rules dealing with records and information (68 FR 56557). This revision updated terminology to reflect the Postal Service's current organizational structure, removed obsolete or duplicative provisions, and revised the fee schedule for disclosure of information where necessary. Further inspection of the affected provisions indicates that minor additional revisions are necessary to remedy oversights in the previous notice and avoid possible confusion. Accordingly, the Postal Service makes the following revisions effective immediately.

List of Subjects

39 CFR Part 265

Administrative practice and procedure, Courts, Freedom of information, Government employees.

39 CFR Part 266

Privacy.

PART 265—[AMENDED]

■ 1. The authority citation for part 265 continues to read as follows:

Authority: 5 U.S.C. 552; 5 U.S.C. App. 3; 39 U.S.C. 401, 403, 410, 1001, 2601.

§ 265.6 [Amended]

■ 2. Amend § 265.6 as follows:

■ (a) In paragraph (d)(1), remove the last sentence.

■ (b) Revise paragraph (d)(5)(i) to read as set forth below:

■ (c) In paragraph (d)(7), remove "or if the request has been sent to the wrong post office," in the last sentence.

■ (d) In paragraph (d)(9)(i), remove "(d)(8)(iii)" and insert "(d)(9)(iii)" in its place.

■ (e) Following paragraph (g) remove the exhibits and insert the two forms as set forth below:

§ 265.6 Availability of records.

* * * * *

(d) * * *

(5) * * *

(i) To a Federal, State or local government agency upon prior written certification that the information is required for the performance of its duties. The Postal Service requires government agencies to use the format appearing at the end of this section when requesting the verification of a customer's current address or a customer's new mailing address. If the request lacks any of the required information or a proper signature, the postmaster will return the request to the agency, specifying the deficiency in the space marked 'OTHER'.

* * * * *

(g) * * *

BILLING CODE 7710-12-P

Change of Address or Boxholder Request Format—Process Servers

Postmaster _____	Date _____
City, State, ZIP Code blank	
REQUEST FOR CHANGE OF ADDRESS OR BOXHOLDER INFORMATION NEEDED FOR SERVICE OF LEGAL PROCESS	
blank	
Please furnish the new address or the name and street address (if a boxholder) for the following:	
Name: _____	
Address: _____	
blank	
Note: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.	
blank	
The following information is provided in accordance with 39 CFR 265.6(d)(5)(ii). There is no fee for providing boxholder or change of address information.	
blank	
1. Capacity of requester (e.g., process server, attorney, party representing self): _____	
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting pro se - except a corporation acting pro se must cite statute): _____ _____	
3. The names of all known parties to the litigation: _____	
4. The court in which the case has been or will be heard: _____	
5. The docket or other identifying number if one has been issued: _____	
6. The capacity in which this individual is to be served (e.g., defendant or witness): _____	
WARNING	
THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).	
blank	

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in conjunction with actual or prospective litigation.		
blank		
Signature _____	Address _____	
Printed Name _____	City, State, ZIP Code _____	
POST OFFICE USE ONLY		
blank	NEW ADDRESS OR BOXHOLDER'S NAME AND STREET ADDRESS	POSTMARK
_____ No change of address order on file.	_____	_____
_____ Moved, left no forwarding address.	_____	_____
_____ No such address.	_____	_____
blank		

Address Information Request Format—Government Agency

(Required Format Referenced at Paragraph 265.6(d)(5)(i) & (7))

(AGENCY LETTERHEAD)

blank

To: Postmaster

blank

Agency Control Number _____

Date _____

blank

ADDRESS INFORMATION REQUEST

blank

Please furnish this agency with the new address, if available, for the following individual or verify whether or not the address given below is one at which mail for this individual is currently being delivered. If the following address is a post office box, please furnish the street address as recorded on the boxholder's application form.

blank

Name: _____

Last Known Address: _____

blank

blank

I certify that the address information for this individual is required for the performance of this agency's official duties.

(Signature of Agency Official)

(Title)

blank

blank

FOR POST OFFICE USE ONLY

blank

MAIL IS DELIVERED TO ADDRESS GIVEN

NEW ADDRESS

NOT KNOWN AT ADDRESS GIVEN

MOVED, LEFT NO FORWARDING ADDRESS

NO SUCH ADDRESS

OTHER (SPECIFY):

BOXHOLDER'S STREET ADDRESS

Agency return address

Postmark/Date Stamp

blank

blank

blank

blank

§ 265.7 [Amended]

- 3. Amend § 265.7 as follows:
 - (a) In paragraph (a)(4), remove “(See § 265.8(g)(3).)” and insert “(See § 265.9(g)(3).)” in its place;
 - (b) Remove paragraph (d)(1)(iii) and redesignate paragraph (d)(1)(iv) as paragraph (d)(1)(iii).

§ 265.9 [Amended]

- 4. In § 265.9(g)(5), remove the sentence: “This waiver does not apply to fees for services performed in accordance with section 945 of the Domestic Mail Manual.”

§ 265.13 Compliance with subpoenas, summonses, and court orders by postal employees within the Inspection Service where the Postal Service, the United States, or any other Federal agency is not a party.

- 5. In § 265.13, revise paragraph (a)(4) to read as follows:

(a) * * *

(4) Employees serving as expert witnesses in connection with professional and consultative services under 5 CFR part 7001, provided that employees acting in this capacity must state for the record that their testimony reflects their personal opinions and should not be viewed as the official position of the Postal Service;

* * * * *

PART 266—[AMENDED]

- 6. The authority citation for part 266 continues to read as follows:

Authority: 5 U.S.C. 552a; 39 U.S.C. 401.

§ 266.5 [Amended]

- 7. Amend § 266.5 as follows:
 - (a) Revise paragraph (a) to read as set forth below:
 - (b) In paragraph (c), remove “(See § 266.7(b)(3))” and insert “(See § 266.6(c)(1))” in its place.

§ 265.5 Notification.

(a) Notification of Systems. Upon written request, the Postal Service will notify any individual whether a specific system named by the individual contains a record pertaining to him or her. See § 266.6 for suggested form of request.

* * * * *

§ 266.10 [Amended]

- 8. In § 266.10 (b), remove “20260–5202” and insert “20260” in its place.

Stanley F. Mires,*Chief Counsel, Legislative.*

[FR Doc. 04–14135 Filed 6–22–04; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 52 and 81**

[Docket No.: AK–04–001; FRL–7777–1]

Approval and Promulgation of Implementation Plans: State of Alaska; Anchorage Carbon Monoxide Nonattainment Area; Designation of Areas for Air Quality Planning Purposes**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: In this action, the EPA is approving the State of Alaska carbon monoxide (CO) maintenance plan for the Anchorage nonattainment area. EPA is also redesignating the Anchorage area from nonattainment to attainment for the National Ambient Air Quality Standard (NAAQS) for CO.

DATES: This final rule is effective on July 23, 2004.

ADDRESSES: EPA has established a docket for this action under Docket ID No. AK–04–001. Publicly available docket materials are available in hard copy at the EPA, Region 10, Office of Air, Waste and Toxics, 1200 Sixth Avenue, Seattle WA. This Docket facility is open from 8:30–4:00, Monday through Friday, excluding legal holidays. The Docket telephone number is (206) 553–4273.

FOR FURTHER INFORMATION CONTACT: Connie L. Robinson, Office of Air, Waste and Toxics (OAQ–107), EPA Region 10, 1200 Sixth Avenue, Seattle WA, 9810; telephone number: (206) 553–1086; fax number: (206) 553–0110; e-mail address: robinson.connie@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, wherever “we,” “us,” or “our” is used, we mean the EPA. Information is organized as follows:

- I. Background
- II. Public Comments on the Proposed Action
- III. Final Action
- IV. Statutory and Executive Order Reviews

I. Background

On May 10, 2004, EPA published in the **Federal Register**, a proposal to approve the Anchorage, Alaska CO maintenance plan SIP revision and to redesignate the Anchorage CO nonattainment area to “attainment” for CO. See 69 FR 25869.

The action to redesignate the Anchorage, Alaska nonattainment area to attainment for CO is based on valid monitoring data and projections of ambient air quality made in the

maintenance demonstration that accompanies the maintenance plan. Air quality data shows that it has not recorded a violation of the primary or secondary CO air quality standards since 1996. EPA believes the area will continue to meet the National Ambient Air Quality Standards (NAAQS or standards) for CO for at least 10 years beyond this redesignation, as required by the Act.

A detailed description of our action to approve the Anchorage, Alaska CO maintenance plan and redesignation request was published in a proposed rulemaking in the **Federal Register** on May 10, 2004 (69 FR 25869).

II. Public Comments on the Proposed Action

EPA provided a 30-day review and comment period and solicited comments on our proposal published in the May 10, 2004, **Federal Register**. No comments were received for the proposed rulemaking. EPA is now taking final action on the SIP revision consistent with the published proposal.

III. Final Action

EPA is taking final action to approve the Anchorage CO Maintenance Plan and to redesignate the Anchorage CO nonattainment area to attainment. Alaska has demonstrated compliance with the requirements of section 107(d)(3)(E) based on information provided by the Municipality of Anchorage and contained in the Alaska SIP and Anchorage, Alaska CO maintenance plan. A Technical Support Document on file at the EPA Region 10 office contains a detailed analysis and rationale in support of the redesignation of Anchorage’s CO nonattainment area to attainment.

IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this 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 action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this 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