

significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. Because this rule merely removes regulatory provisions made obsolete by statute, prior notice and comment and a delayed effective date are unnecessary and contrary to the public interest. 5 U.S.C. 553(b)(B) and (d)(3). Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply.

Drafting Information

The principal author of this Treasury decision is Jamie J. Kim of the Office of Associate Chief Counsel (Income Tax and Accounting), IRS.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Removal of Temporary Regulation

■ Accordingly, 26 CFR Part 1 is amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read, in part, as follows:

Authority: 26 U.S.C. 7805 * * *

§ 1.463-1T [Removed]

■ **Par. 2.** Section 1.463-1T is removed.

Approved: July 7, 2004.

Mark E. Matthews,

Deputy Commissioner for Services and Enforcement.

Gregory F. Jenner,

Acting Assistant Secretary of the Treasury (Tax Policy).

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 52

[AD-FRL-7788-7]

RIN 2060-AK28

Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Routine Maintenance, Repair and Replacement; Reconsideration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Announcement of public hearing.

SUMMARY: The EPA is announcing a public hearing to be held on August 2, 2004, regarding the July 1, 2004

reconsideration notice for regulations governing the NSR programs mandated by parts C and D of title I of the Clean Air Act (CAA). See 69 FR 40278. Being reconsidered are parts of the NSR regulations for routine maintenance, repair and replacement (RMRR) that were promulgated on October 27, 2003. See 68 FR 61249. The public hearing will provide interested parties the opportunity to present data, views, or arguments concerning the July 1, 2004 document.

DATES: The public hearing will convene on August 2, 2004 at 9 a.m. eastern daylight time and will end at 5 p.m. eastern daylight time or when the last registered speaker has had an opportunity to speak.

ADDRESSES: The public hearing will be held at the Sheraton Imperial Hotel, 4700 Emperor Boulevard, Durham, North Carolina 27703; telephone (919) 941-5050.

Docket: Documents related to this rule are available for public inspection in the EPA Docket Center under E-Docket ID No. OAR-2002-0068 (Legacy Docket ID No. A-2002-04). The record for this public hearing will remain open until September 1, 2004, to allow 30 days for submittal of additional information related to the hearing.

FOR FURTHER INFORMATION CONTACT: *Mr. Dave Svendsgaard* at (919) 541-2380, telefax (919) 541-5509, E-mail: svendsgaard.dave@epa.gov, or by mail at U.S. Environmental Protection Agency, OAQPS, Information Transfer and Program Integration Division, (C339-03), Research Triangle Park, North Carolina 27711. If you would like to speak at the hearing, you should contact *Ms. Chandra Kennedy*, U.S., Environmental Protection Agency, OAQPS, Information Transfer and Program Integration Division, (C339-03), Research Triangle Park, North Carolina 27711; telephone (919) 541-5319 or E-mail kennedy.chandra@epa.gov, by July 19, 2004, to confirm a reservation to speak. We will notify speakers of their assigned times by July 26, 2004. We will continue to accommodate requests to speak that are received after the July 19, 2004, deadline, subject to available time slots. Presentations will be limited to 5 minutes each.

SUPPLEMENTARY INFORMATION: The EPA's planned seating arrangement for the hearing is theater style, with seating available on a first-come, first-served basis for about 250 people. An agenda will be provided at the hearing.

Dated: July 8, 2004.

Gregory A. Green,

Acting Director, Office of Air Quality Planning and Standards.

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BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2004-0120; FRL-7367-1]

Spiroxamine; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for combined residues of spiroxamine in or on grape, banana, and hop, dried cones. Bayer CropScience and the Interregional Research Project Number 4 (IR-4), respectively, requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

DATES: This regulation is effective July 16, 2004. Objections and requests for hearings must be received on or before September 14, 2004.

ADDRESSES: To submit a written objection or hearing request follow the detailed instructions as provided in Unit VIII. of the **SUPPLEMENTARY INFORMATION.** EPA has established a docket for this action under Docket ID number OPP-2004-0120. All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard copy at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Sidney Jackson, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: