

voltage diesel-powered electrical generators as an alternative means of powering electrical equipment. The generators are portable and are used to power electrical equipment when moving the equipment in, out, and around the mine and when performing work in areas where permissible equipment is not required. The rule would eliminate the need for mine operators to file petitions for

modification to use these generators to power electrical equipment while maintaining the existing level of protection for miners.

Since publication of the proposed rule, we have received a request for a hearing on the rule.

**II. Public Hearings**

We will hold four public hearings on the same days, in the same locations, as the MSHA public hearings for the

HVCM standards. The hearings addressing HVCM will begin at 9 a.m. local time each day; the hearings addressing this proposed rule, Low- and Medium-Voltage Diesel Powered Electrical Generators, will be held on the same days, beginning at 1 p.m. and will end after the last speaker testifies. The hearings will be held on the following dates at the locations indicated:

Date	Location	Telephone
September 21, 2004 .....	Sheraton Birmingham, 2101 Richard Arrington Jr. Blvd. North, Birmingham, Alabama 35203.	(205) 324-5000
September 23, 2004 .....	Sheraton Suites Lexington, 2601 Richmond Road, Lexington, Kentucky 40509 ...	(859) 268-0060
September 28, 2004 .....	Little America Hotel, 500 S Main Street, Salt Lake City, Utah 84101 .....	(801) 363-6781
September 30, 2004 .....	Hyatt Regency Pittsburgh International Airport, 1111 Airport Road, Pittsburgh, Pennsylvania 15231.	(724) 899-1234

The hearings will begin with an opening statement from MSHA, followed by an opportunity for members of the public to make oral presentations. You do not have to make a written request to speak; however, speakers who make a request in advance will speak first. Any unallotted time will be made available for commenters making same-day requests for oral presentations. These commenters will speak in the order they sign in. At the discretion of the presiding official, the time allocated to speakers for their presentation may be limited. Speakers and attendees may also present information to the MSHA panel for inclusion in the rulemaking record.

The hearings will be conducted in an informal manner. The hearing panel may ask questions of speakers. Although formal rules of evidence or cross examination will not apply, the presiding official may exercise discretion to ensure the orderly progress of the hearing and may exclude irrelevant or unduly repetitious material and questions.

A verbatim transcript of the proceedings will be included in the rulemaking record. Copies of this transcript will be available to the public, and can be viewed at <http://www.msha.gov>.

We will accept post-hearing written comments and other appropriate data for the record from any interested party, including those not presenting oral statements, prior to the close of the October 14, 2004 post-hearing comment period.

Dated: July 21, 2004.

**Dave D. Lauriski,**

*Assistant Secretary for Mine Safety and Health.*

[FR Doc. 04-16903 Filed 7-23-04; 8:45 am]

**BILLING CODE 4510-43-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 271**

[FRL-7791-4]

**Maryland: Final Authorization of State Hazardous Waste Management Program Revision**

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

**ACTION:** Proposed rule.

**SUMMARY:** Maryland has applied to EPA for final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA proposes to grant final authorization to Maryland. In the "Rules and Regulations" section of this **Federal Register**, EPA is authorizing the changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect comments that oppose it. We have explained the reasons for this authorization in the preamble to the immediate final rule. Unless we receive written comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on this proposal. However, if we receive comments that oppose this action, or portions thereof, we will

withdraw the relevant portions of the immediate final rule, and they will not take effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time.

**DATES:** Send your written comments by August 25, 2004.

**ADDRESSES:** Submit your comments, identified by FRL-7791-4 by one of the following methods:

1. Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

2. E-mail: [johnson.carol@epamail.epa.gov](mailto:johnson.carol@epamail.epa.gov).

3. Mail: Carol Johnson, Mailcode 3WC21, RCRA State Programs Branch, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

4. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during normal hours of operation, and special arrangements should be made for deliveries of boxed information.

You may inspect and copy Maryland's application from 8:30 a.m. to 4:30 p.m., Monday through Friday at the following addresses: Maryland Department of the Environment, Waste Management Administration, Hazardous Waste Program, 1800 Washington Blvd., Suite 645, Baltimore, Maryland 21230-1719, Phone number: (410) 537-3345, attn: Ed Hammerberg, and the EPA Region III, Library, 2nd Floor, 1650 Arch Street, Philadelphia, PA 19103-2029, Phone number: (215) 814-5254.

**Instructions:** Direct your comments to FRL-7791-4. EPA's policy is that all comments received will be included in the public docket without change,

including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://regulations.gov) or e-mail. The federal [regulations.gov](http://regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**FOR FURTHER INFORMATION CONTACT:** Carol Johnson, Mailcode 3WC21, RCRA State Programs Branch, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, Phone number: (215) 814-3378.

**SUPPLEMENTARY INFORMATION:** For additional information, please see the immediate final rule published in the "Rules and Regulations" section of this **Federal Register**.

Dated: July 12, 2004.

**Donald S. Welsh,**

*Regional Administrator, Region III.*

[FR Doc. 04-16943 Filed 7-23-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7790-4]

#### National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List

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

**ACTION:** Notice of intent to delete the Mid-America Tanning Co. Superfund

site (site) from the National Priorities List (NPL).

**SUMMARY:** The EPA Region VII is issuing a notice of intent to delete the Mid-America Tanning Co. Superfund site (site) located near Sergeant Bluff, Iowa, from the NPL and requests public comments on this notice of intent. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is found at Appendix B of 40 CFR part 300 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the state of Iowa through the Iowa Department of Natural Resources (IDNR) have determined that all appropriate response actions under CERCLA have been completed. However, this deletion does not preclude future actions under Superfund.

In the "Rules and Regulations" section of today's **Federal Register**, we are publishing a direct final notice of deletion of the Mid-America Tanning Co. Superfund site without prior notice of intent to delete because we view this as a noncontroversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final deletion. If we receive no adverse comment(s) on the direct final notice of deletion, we will not take further action on this notice of intent to delete. If we receive adverse comment(s), we will withdraw the direct final notice of deletion and it will not take effect. We will, as appropriate, address all public comments in a subsequent final deletion notice based on this notice of intent to delete. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For additional information, see the direct final notice of deletion which is located in the Rules section of this **Federal Register**.

**DATES:** Comments concerning this site must be received by August 25, 2004.

**ADDRESSES:** Written comments should be addressed to Bob Stewart, Remedial Project Manager, Superfund Division, U.S. Environmental Protection Agency, Region VII, 901 North 5th Street, Kansas City, KS 66101.

**FOR FURTHER INFORMATION CONTACT:** Bob Stewart, Remedial Project Manager, U.S. EPA Region VII, Superfund Division, Missouri/Kansas Branch, 901 North 5th Street, Kansas City, KS 66101, fax (913) 551-9654, or 1-800-223-0425.

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct

Final Notice of Deletion which is located in the Rules section of this **Federal Register**.

**Information Repositories:** Information concerning this deletion decision can be found in the Deletion Docket at the information repositories at the following locations: U.S. EPA Region VII, Superfund Division Records Center, 901 North 5th Street, Kansas City, KS 66101 and at the IDNR, Henry A. Wallace Building, 900 East Grand, Des Moines, IA 50319.

### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Dated: June 21, 2004.

**James B. Gulliford,**

*Regional Administrator, Region VII.*

[FR Doc. 04-16727 Filed 7-23-04; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 04-2060, MB Docket No. 04-250, RM-11006]

#### Digital Television Broadcast Service; Medical Lake, WA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Thomas Desmond proposing the allotment of DTV channel 51 to Medical Lake, Washington, as the community's first local commercial television service. DTV Channel 51 can be allotted to Medical Lake, Washington, at reference coordinates 47-34-12 N. and 117-41-32 W. Since the community of Medical Lake is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government must be obtained for this allotment.

**DATES:** Comments must be filed on or before September 9, 2004, and reply comments on or before September 24, 2004.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceeding involving