

Dated: August 30, 2004.

Donald V. Hammond,

Fiscal Assistant Secretary.

[FR Doc. 04-20189 Filed 9-7-04; 8:45 am]

BILLING CODE 4810-39-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[NM-47-1-7606b; FRL-7810-3]

Clean Air Act Approval of Revisions to the Title V Operating Permits Program in the State of New Mexico, Albuquerque/Bernalillo County, NM, and the State of Arkansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to approve revisions to the title V Operating Permits Program for the State of New Mexico, Albuquerque/Bernalillo County, New Mexico, and the State of Arkansas. This includes revisions that the State of New Mexico, Albuquerque/Bernalillo County, New Mexico, and the State of Arkansas submitted to EPA on November 5, 2002, May 2, 2003, and October 24, 2002, respectively to revise the definition of "Major Source" as defined in the States' or County's regulation.

This also includes other administrative revisions to other areas of Arkansas' regulations to incorporate updated Federal regulatory citations.

DATES: Written comments must be received in writing on or before October 8, 2004.

ADDRESSES: Submit your comments, by one of the following methods:

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

- U.S. EPA Region 6 "Contact Us" Web site: <http://epa.gov/region6/r6comment.htm>. Please click on "6PD" (Multimedia) and select "Air" before submitting comments.

- E-mail: Mr. David Neleigh at neleigh.david@epa.gov. Please also cc the person listed in the **FOR FURTHER INFORMATION CONTACT** section below.

- Fax: Mr. David Neleigh, Chief, Air Permits Section (6PD-R), at fax number 214-665-7263.

- Mail: Mr. David Neleigh, Chief, Air Permits Section (6PD-R), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733.

- Hand or Courier Delivery: Mr. David Neleigh, Chief, Air Permits Section (6PD-R), Environmental

Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. Such deliveries are accepted only between the hours of 8 a.m. and 4 p.m. weekdays except for legal holidays. Special arrangements should be made for deliveries of boxed information.

Instructions: Please include the text "Public Comment on File ID No. NM-47-1-7606a" in the subject line of the first page of your comments. EPA's policy is that all comments received will be included in the public file without change, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Do not submit information through regulations.gov or e-mail if you believe that it is CBI or otherwise protected from disclosure. Regulations.gov 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, your e-mail address will be automatically captured and included as part of the comment that is placed in the public file 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.

Official File: Copies of the documents relevant to this action are in the official file which is available at the Air Permits Section (6PD-R), Environmental Protection Agency, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733. The file will be made available by appointment for public inspection in the Region 6 FOIA Review Room between the hours of 8:30 a.m. and 4:30 p.m. weekdays except for legal holidays. Contact the person listed in the **FOR FURTHER INFORMATION CONTACT** paragraph below to make an appointment. If possible, please make the appointment at least two working days in advance of your visit. There will be a 15 cent per page fee for making photocopies of documents. On the day of the visit, please check in at the EPA Region 6 reception area on the 7th floor

at 1445 Ross Avenue, Suite 700, Dallas, Texas.

Copies of any State submittals and EPA's technical support document are also available for public inspection at the State Air Agency listed below during official business hours by appointment:

Arkansas Department of Environmental Quality, Air Division, 8001 National Drive, P.O. Box 8913, Little Rock, Arkansas 72219-8913.

New Mexico Environment Department, Air Quality Bureau, 1190 St. Francis Drive, Santa Fe, New Mexico 87502.

Albuquerque Environmental Health Department, Air Pollution Control Division, One Civic Plaza, Albuquerque, New Mexico 87103.

FOR FURTHER INFORMATION CONTACT:

Allen Chang of the Air Permits Section (6PD-R), Environmental Protection Agency, Region VI, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733. The telephone number is (214) 665-7541. Mr. Allen Chang can also be reached via electronic mail at chang.allen@epa.gov.

SUPPLEMENTARY INFORMATION: In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the above mentioned States' and County's title V revisions as a direct final rule without prior proposal because the EPA views this as a noncontroversial revision and anticipates no adverse comment. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For further information, please see the direct final rule of the same title which is located in the "Rules and Regulations" section of this **Federal Register**.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: August 23, 2004.

Richard E. Greene,

Regional Administrator, Region 6.

[FR Doc. 04-20334 Filed 9-7-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 229

[Docket No. FRA-2003-16357, Notice No. 2]

RIN 2130-AB34

Locomotive Event Recorders

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Proposed rule; notice of public hearing and extension of comment period.

SUMMARY: By notice of proposed rulemaking (NPRM) published on June 30, 2004 (69 FR 39774), FRA proposed revisions to the regulations governing locomotive event recorders in order to improve the crashworthiness of railroad locomotive event recorders and to enhance the quality of information available for post-accident investigations. In that document, FRA announced that it expected to be able to resolve this rulemaking without a public, oral hearing but indicated that if it received a specific request for a public, oral hearing, one would be scheduled. In response to that document, several commenters requested the opportunity for a public, oral hearing, and one commenter sought an extension in the time for submitting written comments. This document grants those requests.

DATES: (1) *Comments:* Comments must be received by October 11, 2004, unless information received at the public hearing indicates a need to further extend this time period.

(2) *Public Hearing:* A public hearing will be held on September 30, 2004, beginning at 10 a.m. at the location listed below to provide interested parties the opportunity to comment on the proposed revisions contained in the NPRM.

Any person wishing to participate in the public hearing should notify FRA's Docket Clerk by mail at the address provided below at least five working days prior to the date of the hearing and submit three copies of the oral statement that he or she intends to make at the hearing. The notification should identify the party the person represents,

and the particular subject(s) the person plans to address. The notification should also provide the Docket Clerk with the participant's mailing address. FRA reserves the right to limit participation in the hearings of persons who fail to provide such notification.

ADDRESSES: (1) *Comments:* Comments related to Docket No. FRA-2003-16357 may be submitted by any of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

• *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

• *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal Holidays.

• *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information. FRA wishes to inform all potential commenters that anyone is able to search the electronic form of all comments received into any agency docket by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

(2) *Public Hearing:* A hearing to provide interested parties the opportunity to comment on the proposed revisions contained in the NPRM will be held in Conference Room 1 located on the 7th floor at 1120 Vermont Avenue, NW., Washington, DC 20005.

(3) *FRA Docket Clerk:* Written notification of a party's desire to participate in the public hearing should identify the docket number and must be submitted to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, RCC-10, Mail Stop 10, 1120 Vermont Avenue, NW., Washington, DC 20005.

(4) *DOT Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT:

Edward W. Pritchard, Director, Office of Safety Assurance and Compliance, RRS-10, Mail Stop 25, Federal Railroad Administration, Department of Transportation, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone 202-493-6247), or Thomas J. Herrmann, Trial Attorney, Office of Chief Counsel, Mail Stop 10, Federal Railroad Administration, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone 202-493-6036).

SUPPLEMENTARY INFORMATION: The public hearing will be informal and will be conducted in accordance with FRA's Rules of Practice (49 CFR 211.25) by representatives designated by FRA. FRA's representatives will make opening statements outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a non-adversarial proceeding in which all interested parties will be given the opportunity to express their views regarding this NPRM, without cross-examination. After all initial statements have been completed, those persons wishing to make brief rebuttal statements will be given an opportunity to do so in the same order in which initial statements were made.

Issued in Washington, DC, on September 2, 2004.

Betty Monro,

Acting Federal Railroad Administrator.

[FR Doc. 04-20416 Filed 9-3-04; 1:49 pm]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA 2004-19031]

RIN 2127-AH81

Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of withdrawal of request for comments.