

**Incorporation by Reference**

(f) Unless otherwise specified in this AD, the actions shall be done in accordance with Airbus Service Bulletin A300–53–0350, Revision 02, excluding Appendix 01, dated November 12, 2002; and Airbus Service Bulletin A300–53–6123, Revision 02, excluding Appendix 01, dated November 12, 2002; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**Note 1:** The subject of this AD is addressed in French airworthiness directive 2002–184(B), dated April 3, 2002.

**Effective Date**

(g) This amendment becomes effective on November 17, 2004.

Issued in Renton, Washington, on September 30, 2004.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04–22564 Filed 10–12–04; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 510****New Animal Drugs; Change of Sponsors' Addresses**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect changes of address for Alpharma Inc.; Intervet Inc.; and Vetoquinol N.-A., Inc. **DATES:** This rule is effective October 13, 2004.

**FOR FURTHER INFORMATION CONTACT:** David R. Newkirk, Center for Veterinary Medicine (HFV–100), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–6967; e-mail: [david.newkirk@fda.gov](mailto:david.newkirk@fda.gov).

**SUPPLEMENTARY INFORMATION:** Alpharma Inc., One Executive Dr., P.O. Box 1399, Fort Lee, NJ 07024, has informed FDA of a change of address to One Executive

Dr., Fort Lee, NJ 07024. Intervet, Inc., P.O. Box 318, 405 State St., Millsboro, DE 19966, has informed FDA of a change of address to 29160 Intervet Lane, P.O. Box 318, Millsboro, DE 19966. Vetoquinol N.-A., Inc., 2000 chemin Georges, Lavaltrie (PQ), Canada J0K 1H0, has informed FDA of a change of address to 2000 chemin Georges, Lavaltrie (PQ), Canada J5T 3S5. Accordingly, the agency is amending the regulations in 21 CFR 510.600 to reflect these changes of sponsors' addresses.

This rule does not meet the definition of “rule” in 5 U.S.C. 804(3)(A), because it is a rule of “particular applicability.” Therefore, it is not subject to congressional review requirements in 5 U.S.C. 801–808.

**List of Subjects in 21 CFR Part 510**

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 510 is amended as follows:

**PART 510—NEW ANIMAL DRUGS**

■ 1. The authority citation for 21 CFR part 510 continues to read as follows:

**Authority:** 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

**§ 510.600 [Amended]**

■ 2. Section 510.600 is amended:

a. In the table in paragraph (c)(1) in the entry for “Alpharma Inc.”, by removing “P.O. Box 1399,”;

b. In the table in paragraph (c)(1) in the entry for “Intervet, Inc.”, by removing “Intervet, Inc., P.O. Box 318, 405 State St.” and by adding in its place “Intervet Inc., P.O. Box 318, 29160 Intervet Lane”;

c. In the table in paragraph (c)(1) in the entry for “Vetoquinol N.-A., Inc.”, by removing “J0K 1H0” and by adding in its place “J5T 3S5”;

d. In the table in paragraph (c)(2) in the entry for “046573”, by removing “P.O. Box 1399”;

e. In the table in paragraph (c)(2) in the entry for “057926” by removing “Intervet, Inc., P.O. Box 318, 405 State St.” and by adding in its place “Intervet Inc., P.O. Box 318, 29160 Intervet Lane”; and

f. In the table in paragraph (c)(2) in the entry for “059320”, by removing “J0K 1H0” and by adding in its place “J5T 3S5”.

Dated: September 16, 2004.

**Bernadette A. Dunham,**

*Deputy Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

[FR Doc. 04–22915 Filed 10–12–04; 8:45 am]

**BILLING CODE 4160–01–S**

**DEPARTMENT OF STATE****22 CFR Part 51**

**RIN 1400–ZA07**

**[Public Notice 4859]****Passport Procedures—Amendment to Passport Regulations**

**AGENCY:** State Department.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule amends the regulation implementing the statutory requirement that both parents consent to issuance of a passport for children under 14 years to require that a statement of consent submitted in support of a minor's application be notarized. The rule will ensure that the individual providing the signature is properly identified.

**DATES:** The effective date is November 1. The Department will accept comments from the public up to 30 days from November 12, 2004.

**ADDRESSES:** Written comments should be addressed to: Chief, Legal Division, Office of Passport Policy, Planning and Advisory Services, 2100 Pennsylvania Ave., NW., 3rd Floor, Washington, DC 20037. E-mail for comments: [PassportRules@state.gov](mailto:PassportRules@state.gov).

Persons with access to the internet may also view this notice and provide comment by going to the regulations.gov Web site at: <http://www.regulations.gov/index.cfm>.

**FOR FURTHER INFORMATION CONTACT:** Sharon Palmer-Royston, Office of Passport Policy, Planning and Advisory Services, Bureau of Consular Affairs, Department of State 202–663–2662; Fax 202–663–2654.

**SUPPLEMENTARY INFORMATION:** 22 U.S.C. 213 provides that before a U.S. passport can be issued the applicant “shall subscribe to and submit a written application which shall contain a true recital of each and every matter of fact which may be required by law or by any rules authorized by law.” Section 236 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Public Law 106–113, 113 Stat. 1501A–420 (22 U.S.C. 213n) (“2-Parent Consent Statute”) provides that the Secretary shall require documentary proof of both parents' or

the legal guardian's consent before issuing passports to children under age 14 "under penalty of perjury." The requirement was added as a measure to prevent the use of the United States passport in international child abduction, and was implemented by Section 51.27(b) of Title 22, Code of Federal Regulations (CFR) (published at 66 Fed. Reg. 29904, June 4, 2001). Section 51.27(b)(2) provides that both parents must execute a passport application on behalf of a minor under age 14 or, if only one parent or a legal guardian executes the application, such parent or guardian must provide documentary evidence that he or she is the sole parent or has sole custody of the child or that he or she has the non-applying parent's or guardian's consent, if applicable, to the issuance of the passport. Subsection 51.27(b)(2)(ii)(B) provides that the applying parent or guardian may provide a written statement of consent from the non-applying parent or guardian, if applicable, to the issuance of the passport.

#### **Passport Applications of Minors Under Age 14**

Since the 2000 implementation of the 2-Parent Consent Statute by 22 CFR 51.27, there have been public comments and expressions of concern regarding the lack of independent verification of the identity of the individual signing the statement of consent.

It has become evident that some parental applicants are providing affidavits that are signed by individuals other than the non-applying parent, despite the provisions of 18 U.S.C. 1544, 1101 and 22 CFR 51.1(g) which provide that individuals providing false information as part of a passport application, whether contemporaneously with the application form or at any other time, are subject to prosecution for passport fraud or perjury under all applicable criminal statutes, including but not limited to 18 U.S.C. 1001, 1541, *et seq.* and 1621. Some applying parents who submit forged consent statements often do so to abduct their child or otherwise interfere with the rights of the non-applying parent. Most, however, are only going on vacation or obtaining the passport against the wishes of the other parent.

This Interim Rule amends Subsection 51.27(b)(2)(ii)(B) to require that the written statement of consent of the non-applying parent be notarized. The purpose of this change is to prevent forgery and to ensure that the individual signing the consent statement submitted with the passport application has been properly identified. This change will

substantially reduce the possibility of the submission of false statements of consent. This rule needs to be implemented immediately to strengthen fraud prevention to avoid further instances of the applying parent submitting a false statement of consent and to reduce the possibility of a U.S. passport being used in an effort to interfere with the custodial rights of the non-applying parent.

#### **Regulatory Findings**

##### *Administrative Procedure Act*

The Department is publishing this rule as an interim rule, with a 30-day provision for post-promulgation public comments, based on the "good cause" exceptions set forth at 5 U.S.C. 553(b)(3)(B) and 553(d)(3). It is dictated by the necessity of establishing additional controls over the documentation of U.S. citizens who are ages 14 and under, to help prevent the possible misuse of a passport in facilitating international child abduction.

##### *Regulatory Flexibility Act/Executive Order 13272*

These changes to the regulations are hereby certified as not expected to have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act, 5 U.S.C. 601–612.

##### *The Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by U.S.C. 804, for purposes of congressional review of agency rulemaking under the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based companies to compete with foreign based companies in domestic and import markets.

##### *The Unfunded Mandates Reform Act of 1995*

Section 202 of the Unfunded Mandates Reform Act of 1995 (UFMA), Public Law 104–4; 109 Stat. 48; 2 U.S.C. 1532, generally requires agencies to prepare a statement before proposing any rule that may result in an annual expenditure of \$100 million or more by State, local, or tribal governments, or by the private sector. This rule does not result in any such expenditure nor will it significantly or uniquely affect small governments.

##### *Executive Order 13132: Federalism*

The Department finds that this regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. Nor does the rule have federalism implications warranting the application of Executive Order No. 12372 and No. 13132.

##### *Executive Order 12866: Regulatory Review*

This rule is exempt from E.O. 12866, but the Department has reviewed the rule to ensure consistency with the objectives of the Executive Order and has determined that the regulations do not constitute a significant regulatory action within the meaning of the Executive Order.

##### *Executive Order 12988: Civil Justice Reform*

The Department has reviewed the regulation in light of sections 3(a) and 3(b)(2) of Executive Order No. 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

##### *The Paperwork Reduction Act of 1995*

This rule does not impose information collection requirements under the provisions of the Paperwork Reduction Act, 44 U.S.C., Chapter 35.

##### *The Treasury and General Government Appropriations Act of 1999—Assessment of Federal Regulations and Policies on Families*

In light of the nature of these regulations and section 654 of the Treasury and General Government Appropriations Act of 1999, Public Law 105–277, 112 Stat. 2681 (1998), the Department has assessed the impact of these proposed regulations on family well being in accordance with section 654(c) of that Act. This rule is intended to promote child and family safety by helping prevent child abduction and international child trafficking.

#### **List of Subjects in 22 CFR Part 51**

Administrative practice and procedure, Drug traffic control, Passports and visas.

■ Accordingly, the Department amends 22 CFR Chapter I as follows:

#### **PART 51—[AMENDED]**

■ 1. The authority citation for Part 51 continues to read as follows:

**Authority:** 22 U.S.C. 211a, 213, 2651a, 2671(d)(3), 2714 and 3926; 31 U.S.C. 9701;

E.O. 11295, 3 CFR, 1966–1970 Comp., p 570; sec. 236, Public Law 106–113, 113 Stat. 1501A–430; 18 U.S.C. 1621(a)(2).

■ 2. Revise § 51.27(b)(2)(iii)(B) to read as follows:

**§ 51.27 Minors.**

\* \* \* \* \*

- (b) \* \* \*  
(2) \* \* \*  
(iii) \* \* \*

(B) A notarized written statement or notarized affidavit from the non-applying parent or guardian, if applicable, consenting to the issuance of the passport.

\* \* \* \* \*

Dated: September 23, 2004.

**Daniel B. Smith,**

*Acting Assistant Secretary for Consular Affairs, Department of State.*

[FR Doc. 04–22937 Filed 10–12–04; 8:45 am]

**BILLING CODE 4710–06–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[OGC–2004–0004; FRL–7826–2]

#### National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks

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

**ACTION:** Direct final rule; amendments.

**SUMMARY:** On April 14, 2003, pursuant to section 112 of the Clean Air Act (CAA), the EPA issued national emission standards to control hazardous air pollutants emitted from pushing, quenching, and battery stacks at new and existing coke oven batteries. This action amends the parametric operating limits and associated compliance provisions for capture systems used to control emissions from pushing. This action also amends the requirements for mobile scrubber cars that capture emissions which occur during pushing and travel.

**DATES:** The direct final rule amendments will be effective on January 11, 2005, unless we receive significant adverse comments by November 12, 2004, or by November 29, 2004 if a public hearing is requested. If such comments are received, we will

publish a timely withdrawal in the **Federal Register** indicating which provisions will become effective and which provisions are being withdrawn due to adverse comment. Any distinct amendment, paragraph, or section of the final amendments for which we do not receive adverse comment will become effective on January 11, 2005.

**ADDRESSES:** Submit your comments, identified by Docket ID No. OGC–2004–0004, by one of the following methods:

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

- Agency Website: <http://www.epa.gov/edocket>. EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

- E-mail: [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov).
- Fax: (202) 566–1741.

- Mail: Proposed Settlement Agreement in *AISI/ACCCI Coke Oven Environmental Task Force v. U.S. EPA*, No. 03–1167 (DC Cir.) Docket, Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Please include a total of two copies.

- Hand Delivery: Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B102, Washington, DC. 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. OGC–2004–0004. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.epa.gov/edocket>, 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 EDOCKET, [regulations.gov](http://www.regulations.gov), or e-mail. The EPA EDOCKET and the Federal [regulations.gov](http://www.regulations.gov) websites are “anonymous access” systems, 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

EDOCKET or [regulations.gov](http://www.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.

**Docket:** 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 information, such as copyrighted materials, 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 form at the docket entitled “Proposed Settlement Agreement in *AISI/ACCCI Coke Oven Environmental Task Force v. U.S. EPA*, No. 03–1167 (DC Cir.),” Docket ID No. OGC–2004–0004, EPA/DC, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the Air Docket is (202) 566–1742.

**FOR FURTHER INFORMATION CONTACT:** Ms. Lula Melton, Emission Standards Division, Office of Air Quality Planning and Standards (C439–02), Environmental Protection Agency, Research Triangle Park, NC 27711, telephone number (919) 541–2910, fax number (919) 541–3207, e-mail address: [melton.lula@epa.gov](mailto:melton.lula@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does This Action Apply to Me?

Categories and entities potentially regulated by this action include:

Category	NAICS code <sup>1</sup>	Examples of regulated entities
Industry .....	331111, 324199 .....	Coke plants and integrated iron and steel mills.
Federal government .....	.....	Not affected.