

such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.¹³

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-Phlx-2004-69 on the subject line.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number SR-Phlx-2004-69. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing also will be available for inspection and copying at the principal office of Phlx.

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2004-69 and should be submitted on or before December 14, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁴

Margaret H. McFarland,

Deputy Secretary.

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BILLING CODE 8010-01-P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3628]

State of North Carolina (Amendment #2)

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective November 3, 2004, the above numbered declaration is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to December 17, 2004.

All other information remains the same, *i.e.*, the deadline for filing applications for economic injury is June 20, 2005.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: November 10, 2004.

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. 04-25939 Filed 11-22-04; 8:45 am]

BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3623]

State of North Carolina (Amendment #4)

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective November 3, 2004, the above numbered declaration is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to December 17, 2004.

All other information remains the same, *i.e.*, the deadline for filing applications for economic injury is June 10, 2005.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: November 10, 2004.

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. 04-25940 Filed 11-22-04; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

High Density Airports; Notice of Reagan National Airport Lottery Allocation Procedures

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of lottery and allocation procedures for slots at Washington Reagan National Airport; extension of submission deadline.

SUMMARY: On November 17, 2004, the FAA announced that a lottery will be held on December 3, 2004, to allocate six available commuter slots at Washington's Reagan National Airport (DCA). (69 FR 67382; November 17, 2004). The closing date for carriers to submit requests to participate in the lottery is November 18, 2004. The FAA is extending that date for submissions to November 29, 2004.

FOR FURTHER INFORMATION CONTACT: Lorelei Peter, Operations and Air Traffic Law Branch, Regulations Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone number (202) 267-3134.

SUPPLEMENTARY INFORMATION:

Background

On November 10, 2004, the FAA issued a notice announcing a lottery to allocate six commuter slots at DCA (69 FR 67382; November 17, 2004). According to the provisions of the notice, carriers seeking to participate in the lottery must notify the FAA in writing no later than 5 p.m. e.d.t. on November 18, 2004. The FAA is extending this submission deadline to 5 p.m. e.s.t on November 29, 2004. This extension will allow adequate time for carriers to respond to the lottery notice in view of the original publication date and the Thanksgiving holiday.

Issued on November 17, 2004 in Washington, DC.

James Whitlow,

Deputy Chief Counsel.

[FR Doc. 04-25880 Filed 11-17-04; 2:52 pm]

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DEPARTMENT OF TRANSPORTATION

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

Office of Hazardous Materials Safety; Notice of Application for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

¹³ See 15 U.S.C. 78s(b)(3)(C).

¹⁴ 17 CFR 200.30-3(a)(12).

ACTION: List of applications for exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail

freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before December 23, 2004.

Address Comments to: Record Center, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If Confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available

for inspection in the Records Center, Nassif Building, 400 7th Street SW., Washington, DC or at <http://dms.dot.gov>.

This notice of receipt of applications for modification of exemption is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on November 16, 2004.

R. Ryan Posten,

Exemptions Program Officer, Office of Hazardous Materials Safety Exemptions & Approvals.

NEW EXEMPTION

Application number	Docket number	Applicant	Regulation(s) affected	Nature of exemption thereof
13998-N	RSPA-2004-19651.	3AL Testing Corp. Miami, FL.	49 CFR 180.205(f)(g); 180.209(a),(b)(1)(iv); 172.203(a); 172.302a(b)(2),(4)(5).	To authorize an alternative requalification method for DOT-3A, DOT-3AA, DOT-3ADX and DOT-3AAX steel cylinders. (modes 1,3,4)
13999-N	RSPA-2004-19659.	Kompozit-Praha s.r.o. Dysina u Plzne Czech Republic.	49 CFR 173.304a(1);175.3.	To authorize the manufacture, marking, sale and use of a non-DOT specification fully-wrapped fiberglass composite cylinder with a seamless, specially designed liner for use in transporting certain hydrocarbon gases. (modes 1,2,3,4)
14001-N	RSPA-2004-19646.	Koch Hydrocarbon LP Medford, OK.	49 CFR 177.834(i)(3); 177.840(q)(1).	To authorize the use of video cameras and monitors to observe the loading and unloading operations of certain hazardous materials from a remote control station in place of personnel remaining within 7.62 meters (25 feet) of cargo tank motor vehicles. (mode 1)
14002-N	RSPA-2004-19645.	BOC Gases Murray Hill, NJ.	49 CFR 178.338-11(c)	To authorize the use of a cargo tank in oxygen, refrigerated liquid service that is not equipped with a remotely controlled self closing shut-off valve. (mode 1)
14003-N	RSPA-2004-19647.	INOCOM Inc. Riverside, CA.	49 CFR 173.302(a)(1), 173.304(a), 175.3 and 180.205.	To authorize the manufacture, mark, sale and use of non-DOT specification fully wrapped carbon fiber reinforced aluminum lined cylinders for the transportation in commerce of certain Division 2.2 materials. (modes 1,2,3,4,5)
14004-N	RSPA-2004-19657.	Praxair, Inc. Danbury, CT.	49 CFR 179.13	To authorize the transportation in commerce of certain Division 2.2 gases in DOT Specification 105J500W tank cars with a maximum gross weight on rail greater than currently authorized.
14008-N	RSPA-2004-19656.	Air Products and Chemicals, Inc. Allentown, PA.	49 CFR 173.301(f)(3); 180.205(c)(4).	To authorize an alternative retesting method for DOT-3, 3A, 3AA cylinders used in transporting Division 2.1 hazardous materials. (modes 1,2,3)
14009-N	United States Can Company Elgin, IL.	49 CFR 178.33a-7;	To authorize the transportation in commerce of DOT-2Q receptacles with an alternative wall thickness for use in transporting ORM-D, Division 2.1 and Division 2.2. (modes 1, 2, 3, 4)
14010-N	RSPA-2004-19644.	Varsal, LLC Warminster, PA.	49 CFR 173.202	To authorize the one-way transportation in commerce of a 50% solution of Hypophosphorous Acid in alternative UN 3H2 packagings. (mode 1)

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**DEPARTMENT OF TRANSPORTATION
Research and Special Programs
Administration**

**Office of Hazardous Materials Safety;
Notice of Applications for Modification
of Exemption**

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for modification of exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the