

Code of Federal Regulations is proposed to be amended as follows:

**PART 103—FINANCIAL RECORDKEEPING AND REPORTING OF CURRENCY AND FINANCIAL TRANSACTIONS**

1. The authority citation for part 103 is revised to read as follows:

**Authority:** 12 U.S.C. 1829b and 1951–1959; 31 U.S.C. 5311–5314, 5316–5332; title III, secs. 311, 312, 313, 314, 319, 326, 352, Pub. L. 107–56, 115 Stat. 307.

2. The undesignated center heading preceding §103.185 is removed.

3. Subpart I of part 103 is proposed to be amended by adding new § 103.189 as follows:

**§ 103.189 Special measures against First Merchant Bank.**

(a) *Definitions.* For purposes of this section:

(1) *Correspondent account* has the same meaning as provided in § 103.175(d)(1)(ii).

(2) *Covered financial institution* has the same meaning as provided in § 103.175(f)(2) and also includes:

(i) A futures commission merchant or an introducing broker registered, or required to register, with the Commodity Futures Trading Commission under the Commodity Exchange Act (7 U.S.C. 1 *et seq.*); and

(ii) An investment company (as defined in section 3 of the Investment Company Act (15 U.S.C. 80a–3)) that is an open-end company (as defined in section 5 of the Investment Company Act (15 U.S.C. 80a–5)) and that is registered, or required to register, with the Securities and Exchange Commission under section 8 of the Investment Company Act (15 U.S.C. 80a–8).

(3) *First Merchant Bank* means any headquarters, branch, office, or subsidiary of First Merchant Bank OSH Ltd operating in the “Turkish Republic of Northern Cyprus” (“TRNC”) or in any other jurisdiction, including FMB Finance Ltd (British Virgin Islands), First Merchant International Inc (Bahamas), First Merchant Finance Ltd (Ireland), and First Merchant Trust Ltd (Ireland).

(4) *Subsidiary* means a company of which more than 50 percent of the voting stock or analogous equity interest is owned by another company.

(b) *Requirements for covered financial institutions—(1) Prohibition on direct use of correspondent accounts.* A covered financial institution shall terminate any correspondent account that is established, maintained, administered, or managed in the United

States for, or on behalf of, First Merchant Bank.

(2) *Special due diligence of correspondent accounts to prohibit indirect use.* (i) A covered financial institution shall apply special due diligence to its correspondent accounts that is reasonably designed to guard against their indirect use by First Merchant Bank. At a minimum, that special due diligence must include:

(A) Notifying correspondent account holders that they may not provide First Merchant Bank with access to the correspondent account maintained at the covered financial institution; and

(B) Taking reasonable steps to identify any indirect use of its correspondent accounts by First Merchant Bank, to the extent that such indirect use can be determined from transactional records maintained in the covered financial institution’s normal course of business.

(ii) A covered financial institution shall take a risk-based approach when deciding what, if any, additional due diligence measures it should adopt to guard against the indirect use of its correspondent accounts by First Merchant Bank.

(iii) A covered financial institution that obtains knowledge that a correspondent account is being used by the foreign bank to provide indirect access to First Merchant Bank, shall take all appropriate steps to block such indirect access, including, where necessary, terminating the correspondent account.

(3) *Recordkeeping and reporting.* (i) A covered financial institution is required to document its compliance with the notice requirement set forth in paragraph (b)(2)(i)(A) of this section.

(ii) Nothing in this section shall require a covered financial institution to report any information not otherwise required to be reported by law or regulation.

Dated: August 18, 2004.

**William J. Fox,**

*Director, Financial Crimes Enforcement Network.*

[FR Doc. 04–19267 Filed 8–23–04; 8:45 am]

**BILLING CODE 4810–02–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[R07–OAR–2004–MO–0002; FRL–7805–2]

**Approval and Promulgation of Implementation Plans; State of Missouri**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve a revision to the Missouri State Implementation Plan (SIP) which pertains to a state rule and maintenance plan applicable to the Doe Run Resource Recycling Lead Facility at Buick, Missouri. This revision revises certain furnace production limits at the facility, which are contained in the state rule and maintenance plan.

Approval of this revision will ensure consistency between the state and federally-approved rule and maintenance plan, and ensure Federal enforceability of the revised state rule and maintenance plan.

**DATES:** Comments on this proposed action must be received in writing by September 23, 2004.

**ADDRESSES:** Comments may be mailed to Judith Robinson, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. Comments may also be submitted electronically or through hand delivery/courier; please follow the detailed instructions in the **ADDRESSES** section of the direct final rule which is located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Judith Robinson at (913) 551–7825, or by e-mail at [robinson.judith@epa.gov](mailto:robinson.judith@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state’s SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: August 9, 2004.

**James B. Gulliford,**

*Regional Administrator, Region 7.*

[FR Doc. 04-19338 Filed 8-23-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[R07-OAR-2004-IA-0003; FRL-7805-3]

#### Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Iowa

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the Iowa section 111(d) plan for the purpose of adopting by reference the commercial and industrial solid waste incineration (CISWI) rule that was Federally promulgated on October 3, 2003. The CISWI rule contains eleven major components that address the regulatory requirements applicable to existing CISWI units. When adopted by reference, these components will constitute the state plan.

**DATES:** Comments on this proposed action must be received in writing by September 23, 2004.

**ADDRESSES:** Comments may be mailed to Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Comments may also be submitted electronically or through hand delivery/courier; please follow the detailed instructions in the Addresses section of the direct final rule which is located in the rules section of this **Federal Register**.

#### FOR FURTHER INFORMATION CONTACT:

Heather Hamilton at (913) 551-7039, or by e-mail at [hamilton.heather@epa.gov](mailto:hamilton.heather@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state's submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: August 12, 2004.

**William A. Spratlin,**

*Acting Regional Administrator, Region 7.*

[FR Doc. 04-19336 Filed 8-23-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### 46 CFR Part 296

[Docket No. MARAD-2004-18489]

RIN 2133-AB62

#### Maritime Security Program

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice of extension of comment period.

**SUMMARY:** The Maritime Administration is hereby giving notice that the closing date for filing comments on the Maritime Security Program interim final rule (Docket No. MARAD 2004-18489) has been extended to the close of business (5 p.m. e.t.) on August 30, 2004. The interim final rule was published in the **Federal Register** on July 20, 2004 (69 FR 43328).

Dated: August 18, 2004.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 04-19322 Filed 8-23-04; 8:45 am]

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