

Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

#### Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID, which guides the Coast

Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this proposed rule is categorically excluded, under figure 2–1, paragraph (32)(e) of the Instruction, from further environmental documentation, since promulgation of drawbridge regulations has been determined not to have any effect on the environment.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05–1(g); Department of Homeland Security Delegation No. 0170.1; section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Revise § 117.150 to read as follows:

#### § 117.150 Connection Slough.

The draw of the Reclamation District No. 2027 bridge between Mandeville and Bacon Islands, mile 2.5 near Stockton, from May 15 through September 15, shall open on signal between the hours of 9 a.m. and 5 p.m., and it shall open upon 12 hours notice between the hours of 5 p.m. and 9 a.m. From September 16 through May 14 the bridge shall open upon 12 hours notice between the hours of 9 a.m. and 5 p.m., and it shall open upon 24 hours notice between the hours of 5 p.m. and 9 a.m. The bridge shall open on signal if at least one-hour notice is given for emergency operations or vessels in distress.

Dated: September 9, 2003.

**J.M. Hass,**

*Captain, U.S. Coast Guard, Acting Commander, Eleventh Coast Guard District.*  
[FR Doc. 03–24016 Filed 9–18–03; 12:01 pm]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 81

[AZ–094–FOAb; FRL–7561–6]

#### Determination of Attainment for the Carbon Monoxide National Ambient Air Quality Standard for the Phoenix Metropolitan Area, Arizona

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to find that the Phoenix metropolitan nonattainment area in Arizona has attained the National Ambient Air Quality Standard (NAAQS) for carbon monoxide (CO) by its Clean Air Act deadline of December 31, 2000. The Phoenix area has had no exceedances of the CO standard since 1996, and has six years of clean air quality data.

**DATES:** Any comments on this proposal must arrive by October 22, 2003.

**ADDRESSES:** Comments should be mailed or emailed to Wienke Tax, Office of Air Planning (AIR–2), U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105, [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov), or submit comments at <http://www.regulations.gov>. We prefer electronic comments.

You can inspect copies of EPA's **Federal Register** notice and TSD at our Region IX office during normal business hours (see address above). Due to increased security, we suggest that you call at least 24 hours prior to visiting the Regional Office so that we can make arrangements to have someone meet you. The **Federal Register** notice and TSD are also available as electronic files on EPA's Region 9 Web Page at <http://www.epa.gov/region09/air>.

**FOR FURTHER INFORMATION CONTACT:** Wienke Tax, Office of Air Planning, U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105–3901, phone: (520) 622–1622, e-mail: [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document, the words "we," "us," and "our" mean U.S. EPA.

Based on ambient air quality data recorded on Phoenix area monitors during 1999 and 2000, we are proposing to find that the area has met the CO standard by its statutory deadline of December 31, 2000.

In the Rules and Regulations section of this **Federal Register**, we are making this attainment finding in a direct final action without prior proposal because we believe this action is not

controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: September 9, 2003.

**Wayne Nastri,**

*Regional Administrator, Region 9.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 141, 142, and 143

[FRL-7563-3]

RIN 2040-AD37, 2040-AD38

#### Stakeholder Meetings Concerning the Long-Term 2 Enhanced Surface Water Treatment Rule and Stage 2 Disinfectants and Disinfection Byproducts Rule Proposals; Notice of Public Meetings

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of meetings.

**SUMMARY:** Notice is hereby given of two public stakeholder meetings on the following proposed drinking water regulations: The Long-Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) (68 FR 47639, August 11, 2003) and the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR) (68 FR 49547, August 18, 2003). The Environmental Protection Agency (EPA) is developing these regulations under the Safe Drinking Water Act, as amended (42 U.S.C. 300f *et seq.*), to increase protection against risks associated with microbial pathogens and disinfection byproducts (DBPs) in drinking water. The purpose of these meetings is to provide information that will assist stakeholders in evaluating the proposals, which are currently open for public comment.

The meetings will be held as teleconferences and presentation slides will be broadcast using the Internet. EPA will present the same information at both meetings, with the second meeting intended for those unable to participate in the first. The call-in number and Internet address for these meetings will be provided to

participants upon registration. See the **SUPPLEMENTARY INFORMATION** section in this notice for information on how to register.

**DATES:** The first meeting will be held from 1:00 p.m. to 4:00 p.m., Eastern standard time on October 9, 2003. The second meeting will be held at the same time of day on October 16, 2003.

**FOR FURTHER INFORMATION CONTACT:** For general background information or to obtain a copy of the LT2ESWTR and Stage 2 DBPR proposals, please contact the Safe Drinking Water Hotline, phone: (800) 426-4791 or (703) 285-1093, e-mail: [hotline-sdwa@epa.gov](mailto:hotline-sdwa@epa.gov). For additional information about these meetings, please contact Dan Schmelling, Office of Ground Water and Drinking Water (MC 4607M), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, phone: (202) 564-5281, e-mail: [schmelling.dan@epa.gov](mailto:schmelling.dan@epa.gov).

**SUPPLEMENTARY INFORMATION:** To participate in these meetings, please register at the following Internet site: [http://e1.e2c.com/enc/enc\\_pc\\_regPage?rpgid=10633189770192](http://e1.e2c.com/enc/enc_pc_regPage?rpgid=10633189770192). Any person needing special accommodations for these meetings should contact Dan Schmelling (see **FOR FURTHER INFORMATION CONTACT** section) at least five business days before the meeting so that appropriate arrangements can be made.

The LT2ESWTR applies to all public water systems that use surface water or ground water under the direct influence of surface water. This proposed regulation would establish additional risk-targeted treatment requirements for *Cryptosporidium*. It also contains provisions to address risks associated with uncovered finished water storage facilities and to ensure systems maintain microbial protection as they take steps to reduce the formation of DBPs.

The Stage 2 DBPR applies to all public water systems that add a disinfectant other than ultraviolet light. This proposed regulation would establish revised procedures for monitoring and determining compliance with the maximum contaminant levels for trihalomethanes (THMs) and haloacetic acids (HAAs). It contains specific provisions for consecutive systems.

During the meetings announced herein, EPA will present summary information on the LT2ESWTR and Stage 2 DBPR. This will include public health concerns, proposed regulatory requirements, implementation schedules, estimated costs and benefits, implementation tools, and other issues.

These presentations are designed to aid the public in understanding the proposals and developing comments on them. These meetings are not intended to solicit public comments on the proposals. Anyone seeking to submit comments must follow the procedures specified in section I.C. of the proposals, as published in the **Federal Register** (citations noted previously).

Dated: September 16, 2003.

**Nanci E. Gelb,**

*Acting Director, Office of Ground Water and Drinking Water.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 223

[I.D.081803A]

#### Environmental Impact Statement for Consideration and Determination Regarding the Application for the Issuance of a Permit for Incidental Take in the Inshore Fisheries of the Main Hawaiian Islands Managed by the State of Hawaii; Public Scoping Meetings

**AGENCY:** National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce.

**ACTION:** Notice of scoping meetings and supplemental notice of intent to prepare environmental impact statement.

**SUMMARY:** The National Marine Fisheries Service (NMFS) is announcing its intent to hold scoping meetings to inform interested parties of the Environmental Impact Statement (EIS) process as it applies to the evaluation of the State of Hawaii's permit application for an Endangered Species Act (ESA) incidental take permit (ITP) and the evaluation of fishery management alternatives, any of which may produce a different effect on impacted ESA-listed species. NMFS also supplements its initial notice of intent to prepare an environmental impact statement to assess the potential impacts on the human environment of the issuance of the ITP to authorize take of Hawaiian monk seals during commercial fishing activities in the state of Hawaii.

**DATES:** See **SUPPLEMENTARY INFORMATION** for specific dates and locations of the meetings. Written comments (see **ADDRESSES**) should be received no later than December 31, 2003.