

**List of Subjects****40 CFR Part 262**

Environmental protection, Hazardous waste, Reporting and recordkeeping requirements.

**40 CFR Part 271**

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indians-lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** The proposed Federal regulation changes will be made under the authority of the Resource Conservation and Recovery Act (RCRA) sections 2002 and 3002, 42 U.S.C. 6912 and 6922. The proposed authorizations of the Massachusetts revisions will be made under the authority of RCRA sections 2002 and 3006, 42 U.S.C. 6912 and 6926.

Dated: October 7, 2003.

**Ira W. Leighton,**

*Acting Regional Administrator, EPA New England.*

For the reasons set forth in the preamble, chapter I of title 40 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 262—STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE**

1. The authority citation for part 262 continues to read as follows:

**Authority:** 42 U.S.C. 6906, 6912, 6922–6925, 6937, and 6938.

**Subpart A—General**

2. Section 262.10 is amended by adding paragraph (k) to read as follows:

**§ 262.10 Purpose, scope and applicability.**

\* \* \* \* \*

(k) Generators in the Commonwealth of Massachusetts may comply with the State regulations regarding Class A recyclable materials in 310 C.M.R. 30.200, when authorized by the EPA under 40 CFR part 271, with respect to those recyclable materials and matters covered by the authorization, instead of complying with the hazardous waste accumulation requirements of § 262.34, the reporting requirements of § 262.41, the storage facility operator requirements of 40 CFR parts 264 and 265 and the permitting requirements of 40 CFR part 270. Such generators must also comply with any other applicable requirements, including any applicable authorized State regulations governing hazardous wastes not being recycled and any applicable Federal

requirements which are being directly implemented by the EPA within Massachusetts pursuant to the Hazardous and Solid Waste Amendments of 1984.

**Subpart J—University Laboratories XL Project—Laboratory Environmental Management Standard**

3. Section 262.108 is revised to read as follows:

**§ 262.108 When will this subpart expire?**

This subpart will expire on September 30, 2006.

**PART 271—REQUIREMENTS FOR AUTHORIZATION OF STATE HAZARDOUS WASTE PROGRAMS**

EPA proposes to grant Final authorization under part 271 to the Commonwealth of Massachusetts for revisions to its hazardous waste program under the Resource Conservation and Recovery Act.

[FR Doc. 03–26321 Filed 10–20–03; 8:45 am]

**BILLING CODE 6560–50–P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****46 CFR Part 4**

[USCG–2001–8773]

RIN 1625–AA27 (formerly 2115–AG07)

**Marine Casualties and Investigations; Chemical Testing Following Serious Marine Incidents**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** The Coast Guard is reopening the comment period on the notice of proposed rulemaking for “Marine Casualties and Investigation; Chemical Testing Following Serious Marine Incidents” published in the **Federal Register** on February 28, 2003. Hurricane Isabel forced the closure of all Federal Government offices in the Washington, DC, metropolitan area and the public meeting scheduled for September 19, 2003, was not held. As a result of the limited number of participants who registered to attend that meeting, the Coast Guard has decided not to reschedule the meeting and is instead reopening the comment period to allow submission of additional comments to the docket.

**DATES:** Comments must reach the docket on or before November 20, 2003.

**ADDRESSES:** You may submit comments identified by Coast Guard docket number USCG–2001–8773 to the Docket Management Facility at the U.S. Department of Transportation (DOT). To avoid duplication, please use only one of the following methods:

- (1) Web Site: <http://dms.dot.gov>.
- (2) Federal eRulemaking Portal: <http://www.regulations.gov>.
- (3) Mail: Docket Management Facility, DOT, 400 Seventh Street SW., Washington, DC 20590–0001.
- (4) Fax: (202) 493–2251.
- (5) 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. The telephone number is (202) 366–9329.

**FOR FURTHER INFORMATION CONTACT:** For questions on the proposed rule, call Mr. Robert C. Schoening, Drug and Alcohol Program Manager, telephone (202) 267–0684; or e-mail him at [Rschoening@comdt.uscg.mil](mailto:Rschoening@comdt.uscg.mil). For questions on viewing material in the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, DOT, telephone (202) 366–0271.

**SUPPLEMENTARY INFORMATION:****Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change, to <http://dms.dot.gov> and will include any personal information you have provided. We have an agreement with the DOT to use the Docket Management Facility even though the Coast Guard has recently transferred to DHS. Please see the DOT’s statement on the Privacy Act three paragraphs below.

**Submitting comments:** If you submit a comment, please include your name and address, identify the docket number for this rulemaking [USCG–2001–8773], indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or

envelope. We will consider all comments and material received during the comment period in developing the final rule.

**Viewing comments and documents:** To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in 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.

**Privacy Act:** Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, or the like). You may review the DOT's statement on the Privacy Act in the **Federal Register** published on April 11, 2000 [65 FR 19477], or you may visit <http://dms.dot.gov>.

#### Regulatory History

On February 28, 2003, the Coast Guard published a notice of proposed rulemaking (NPRM) in the **Federal Register** [68 FR 9622] proposing changes to the alcohol testing requirements for commercial vessels following a serious marine incident.

On August 28, 2003, the Coast Guard published a notice in the **Federal Register** [68 FR 50992], announcing a public meeting and reopening the NPRM comment period.

#### Background Information

The 1998 Coast Guard Authorization Act requires the Coast Guard to establish procedures ensuring alcohol testing is conducted within two hours of a serious marine casualty. The Coast Guard proposes to establish requirements for testing within the statutory time limits, to expand the existing requirements for commercial vessels to have alcohol testing devices on board, and to authorize the use of a wider variety of testing devices.

For further information, the public should review the NPRM published in the **Federal Register** [68 FR 9622], and for questions concerning that document contact Mr. Robert C. Schoening who is listed under **FOR FURTHER INFORMATION CONTACT**.

#### Additional Comment Period

In response to seven comments to the NPRM requesting a public meeting, the Coast Guard had scheduled a public

meeting for September 19, 2003. As a result of Hurricane Isabel forcing the closure of all Federal Government offices in the Washington, DC, metropolitan area, the public meeting was not held. In its notice, the Coast Guard had asked those planning to speak at the meeting to register by September 17, 2003.

By the close of business on September 17, 2003, nine persons had registered to attend the public meeting, with seven requesting to speak. Of the seven persons who originally submitted comments requesting a meeting, only two had registered to attend and to make a presentation.

As a result of the limited number of participants who registered to attend the meeting, the Coast Guard has decided not to reschedule the meeting and is, instead, reopening the comment period for an additional 30 days from the date of this notice.

This additional 30-day comment period should be adequate time for those who had planned to attend the public meeting to submit further comments to the docket.

Dated: October 14, 2003.

**Joseph J. Angelo,**

*Director of Standards, Marine Safety, Security & Environmental Protection.*

[FR Doc. 03-26512 Filed 10-20-03; 8:45 am]

**BILLING CODE 4910-15-P**

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 03-2910; MB Docket No. 03-208, RM-10793]

#### Radio Broadcasting Services; Arthur and Hazelton, ND

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division requests comments on a petition filed by Vision Media Incorporated proposing the substitution of Channel 280C1 for Channel 280C3 at Arthur, North Dakota, and the modification of Station KVMII(FM)'s license accordingly. To accommodate the upgrade, we also proposed the substitution of Channel 277C for vacant Channel 280C at Hazelton, North Dakota. Channel 280C1 can be substituted at Arthur in compliance with the Commission's minimum distance separation requirements with a site restriction of 48.5 kilometers (30.1 miles) northwest at petitioner's requested site. The

coordinates for Channel 280C1 at Arthur are 47-19-35 North Latitude and 97-46-15 West Longitude. Additionally, Channel 277C can be substituted at Hazelton with a site restriction of 51.6 kilometers (32.0 miles) west at petitioner's requested modified site. The coordinates for Channel 277C at Hazelton are 46-22-06 North Latitude and 100-55-49 West Longitude. Since both Arthur and Hazelton are located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been requested. In accordance with Section 1.420(g)(3) of the Commission's Rules, we will not accept competing expressions of interest for the use of Channel 280C1 at Arthur, North Dakota.

**DATES:** Comments must be filed on or before November 24, 2003, reply comments on or before December 9, 2003.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Michael W. Richards, Esq., Fletcher, Heald & Hildreth, P.L.C., 1700 North 17th Street, 11th Floor, Arlington, Virginia 22209.

#### FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 03-208, adopted October 1, 2003, and released October 3, 2003. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex, International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20054, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts. For information regarding proper filing