



**Figure 1. Location of Research Park wetland and 100-year floodplain within the project area.**

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**ENVIRONMENTAL PROTECTION AGENCY**

[CA 097-NOA; FRL-7535-3]

**Adequacy Status of the San Joaquin Valley Unified Air Pollution Control District, California Submitted Ozone Rate of Progress Plan for Transportation Conformity Purposes**

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

**ACTION:** Notice of adequacy determination.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets contained in the submitted Amended 2002 and 2005 Ozone Rate of Progress Plan for the San Joaquin Valley Unified Air Pollution Control District are adequate for transportation conformity purposes.

As a result of our finding, the various transportation planning agencies in the San Joaquin Valley and the Federal Highway Administration must use the VOC and NO<sub>x</sub> motor vehicle emissions budgets from the Amended Rate of

Progress plan for future conformity determinations.

**DATES:** This determination is effective August 8, 2003.

**FOR FURTHER INFORMATION CONTACT:** The finding is available at EPA's conformity Web site: <http://www.epa.gov/oms/transp/traqconf.htm> (once there, click on the "Transportation Conformity" link, then look for "Adequacy Web Pages").

You may also contact David Wampler, U.S. EPA, Region IX, Air Division AIR-2, 75 Hawthorne Street, San Francisco, CA 94105; (415) 972-3975 or [wampler.david@epa.gov](mailto:wampler.david@epa.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces our finding that the emissions budgets contained in the *Amended 2002 and 2005 Ozone Rate of Progress Plan* submitted by the State of California on behalf of the San Joaquin Valley Unified Air Pollution Control District on April 10, 2003, are adequate for transportation conformity purposes. EPA Region IX made this finding in a letter to the State of California, Air Resources Board on July 10, 2003. We are also announcing this finding on our conformity Web site: <http://www.epa.gov/oms/transp/traqconf.htm> (once there, click on the "Transportation Conformity" link, then look for "Adequacy Web Pages").

Transportation conformity is required by section 176(c) of the Clean Air Act. Our conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). One of these criteria is that the motor vehicle emissions budgets, when considered together with all other emission sources, is consistent with applicable requirements for the reasonable further progress plan. We have preliminarily determined that the San Joaquin Valley Amended 2002 and 2005 Ozone Rate of Progress plan meets the necessary emissions reductions and, therefore, the motor vehicle emissions budgets can be found adequate. Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudge EPA's ultimate approval of the

submitted plan itself. Even if we find a budget adequate, the submitted plan could later be disappointed.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination on the emissions budgets contained in the Amended 2002 and 2005 Ozone ROP Plan for San Joaquin Valley.

**Authority:** 42 U.S.C. 7401-7671 q.

Dated: July 14, 2003.

**Laura Yoshii,**

*Acting Regional Administrator, Region IX.*

[FR Doc. 03-18854 Filed 7-23-03; 8:45 am]

**BILLING CODE 6560-50-P**

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**RIN 3046-AA58**

### Agency Information Collection Activities: Submission for OMB Review; Final Comment Request

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Final notice of information collection under review; ADEA waivers.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Equal Employment Opportunity Commission (Commission or EEOC) gives notice that it has submitted to the Office of Management and Budget (OMB) a request for an extension of the existing collection requirements under 29 CFR 1625.22, Waivers of rights and claims under the Age Discrimination in Employment Act (ADEA). No public comments were received in response to the EEOC's May 12, 2003 60-Day notice soliciting comments on the proposed collection.

**DATES:** Written comments on this notice must be submitted on or before August 25, 2003.

**ADDRESSES:** The Request for Clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from: Carol R. Miaskoff, Assistant Legal Counsel, 1801 L Street, NW., Washington, DC 20507. Comments on this final notice must be submitted to Karen Lee, Policy Analyst, Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, or e-mail at [KFLEE@OMB.EOP.GOV](mailto:KFLEE@OMB.EOP.GOV). Comments should also be submitted to Frances M.

Hart, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street, NW., Washington, DC 20507. The Executive Secretariat will accept comments transmitted by facsimile ("FAX") machine. The telephone number for the FAX receiver is (202) 663-4114. (This is not a toll-free-number.) Only comments of six or fewer pages will be accepted via FAX transmittal. This limitation is necessary to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TDD). (These are not toll-free-telephone numbers.) Copies of comments submitted by the public will be available for review at the Commission's library, Room 6502, 1801 L Street, NW., Washington, DC 20507 between the hours of 9:30 a.m. and 5 p.m.

### FOR FURTHER INFORMATION CONTACT:

Carol R. Miaskoff, Assistant Legal Counsel, Office of Legal Counsel, at (202) 663-4638 or TTY (202) 663-7026. This notice is also available in the following formats: large print, braille, audio tape and electronic file on computer disk. Requests for this notice in an alternative format should be made to the Publications Center at 1-800-669-3362.

**SUPPLEMENTARY INFORMATION:** The EEOC enforces the ADEA of 1967, as amended, 29 U.S.C. 621 *et seq.*, which prohibits discrimination against employees and applicants for employment who are age 40 or older. Congress amended the ADEA by enacting the Older Workers Benefit Protection Act of 1990 (OWBPA), Pub. L. No. 101-433, 104 Stat. 983 (1990), to clarify the prohibitions against discrimination on the basis of age. In Title II of OWBPA, Congress addressed waivers of rights and claims under the ADEA, amending section 7 of the ADEA by adding a new subsection (f), 29 U.S.C. 626 (f). The provisions of Title II of OWBPA require employers to provide certain information to employees (but not to EEOC) in writing. The regulation at 29 CFR 1625.22 reiterates those requirements.

The EEOC seeks extension without change of the information collection requirements contained in this recordkeeping regulation. On May 12, 2003, the Commission published a 60-Day Notice informing the public of its intent to request an extension of the information collection requirements from the Office of Management and