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Issued in Kansas City, Missouri, on October 27, 2004.

**David R. Showers,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-24630 Filed 11-8-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01-04-139]

#### Drawbridge Operation Regulations: Fort Point Channel, MA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations for the Northern Avenue Bridge, mile 0.1, across Fort Point Channel, at Boston, Massachusetts. This temporary deviation allows the bridge to remain in the closed position from December 1, 2004, through December 31, 2004. This temporary deviation is necessary to facilitate mechanical repairs at the bridge.

**DATES:** This deviation is effective from December 1, 2004, through December 31, 2004.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

**SUPPLEMENTARY INFORMATION:** The Northern Avenue Bridge has a vertical clearance of 7 feet at mean high water and 17 feet at mean low water in the closed position. The existing regulations are listed at 33 CFR 117.599.

The bridge owner, the City of Boston, requested a temporary deviation from the drawbridge operating regulations to facilitate necessary mechanical repairs, the replacement of the bridge operating gears, at the bridge. The bridge cannot

open during the prosecution of these mechanical repairs.

Under this temporary deviation the bridge may remain in the closed position from December 1, 2004, through December 31, 2004.

This deviation from the operating regulations is authorized under 33 CFR 117.35 and will be performed with all due speed in order to return the bridge to normal operation as soon as possible.

Dated: October 26, 2004.

**David P. Pekoske,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 04-24970 Filed 11-8-04; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01-04-132]

#### Drawbridge Operation Regulations: Newtown Creek, Dutch Kills, English Kills, and Their Tributaries, NY

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations for the Metropolitan Avenue Bridge, mile 3.4, across English Kills at New York City, New York. Under this temporary deviation the bridge may remain closed from 6 a.m. to midnight on the following days: November 10 through November 12; November 17 through November 19; November 22 through November 24; and December 1 through December 3, 2004. The temporary deviation is necessary to facilitate bridge maintenance.

**DATES:** This deviation is effective from November 10, 2004, through December 3, 2004.

**FOR FURTHER INFORMATION CONTACT:** Judy Leung-Yee, Project Officer, First Coast Guard District, at (212) 668-7195.

**SUPPLEMENTARY INFORMATION:** The Metropolitan Avenue Bridge has a vertical clearance in the closed position of 10 feet at mean high water and 15 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.801(e).

The owner of the bridge, New York City Department of Transportation (NYCDOT), requested a temporary deviation from the drawbridge operation regulations to facilitate rehabilitation

repairs at the bridge. The bridge must remain in the closed position to perform these repairs.

Under this temporary deviation the NYCDOT Metropolitan Avenue Bridge may remain in the closed position from 6 a.m. through midnight on the following days: November 10 through November 12; November 17 through November 19; November 22 through November 24; and December 1 through December 3, 2004.

This deviation from the operating regulations is authorized under 33 CFR 117.35, and will be performed with all due speed in order to return the bridge to normal operation as soon as possible.

Dated: October 30, 2004.

**David P. Pekoske,**

*Rear Admiral, U.S. Coast Guard Commander, First Coast Guard District.*

[FR Doc. 04-24971 Filed 11-8-04; 8:45 am]

**BILLING CODE 4910-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[R03-OAR-2004-WV-0001; FRL-7836-5]

#### Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Determination of Attainment and Redesignation of the City of Weirton PM<sub>10</sub> Nonattainment Area to Attainment and Approval of the Maintenance Plan; Correction

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

**ACTION:** Direct final rule; correcting amendment.

**SUMMARY:** This document corrects an omission in the preamble language of a direct final rule pertaining to a determination of attainment and redesignation of the City of Weirton PM<sub>10</sub> Nonattainment Area to attainment and approval of the maintenance plan submitted by the State of West Virginia.

**DATES:** This document will be effective on December 27, 2004, unless EPA receives adverse written comment by November 26, 2004. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect. Please see EPA's direct final rule published on October 27, 2004 (69 FR 62591), for instructions for submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Linda Miller, (215) 814-2068, or by e-mail at [miller.linda@epa.gov](mailto:miller.linda@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document wherever

“we,” or “our” are used we mean EPA. On October 27, 2004, (69 FR 62591), we published a final rulemaking action announcing approval of a determination of attainment and redesignation of the City of Weirton PM<sub>10</sub> Nonattainment Area (the Weirton area) to attainment and approval of the maintenance plan for the area. In the preamble of this document, we inadvertently omitted language explaining why PM<sub>10</sub> motor vehicle emissions budgets, for purposes of transportation conformity, not required to be part of the maintenance plan for the area. Our intent was to explain that the ambient impact of PM<sub>10</sub> emissions from onroad motor vehicles was not and is not significant as it has been and continues to be less than five percent of the total PM<sub>10</sub> ambient concentrations in the area. Stationary (point) source emissions are responsible for the remaining impacts. The May 24, 2004 submittal from West Virginia requesting redesignation and approval of the maintenance plan (which is in the docket for this final rule) includes a letter from EPA to the State of West Virginia, dated April 26, 1995. In that letter, EPA agreed that because the ambient impact of PM<sub>10</sub> emissions from onroad motor vehicles was less than five percent of the total PM<sub>10</sub> ambient concentrations in the area, the impact of PM<sub>10</sub> emissions from onroad motor vehicles was not responsible for nonattainment. That letter also stated that for purposes of transportation conformity no additional quantitative analyses for transportation-related PM<sub>10</sub> impacts were required for the area. The May 24, 2004 submittal from West Virginia also includes emission inventory data and information regarding the area’s declining population indicating a decrease in on road mobile emissions.

Although the docket for this final rule includes documentation that the ambient impact of PM<sub>10</sub> emissions from onroad motor vehicles did not and do not significantly contribute to the total PM<sub>10</sub> ambient concentrations in the area, the preamble of published final rule itself did not provide this information. This action corrects that omission. In rule document 04–23945 published in the **Federal Register** on October 27, 2004 (69 FR 62591), on page 62594 in the second column, under 2. *Maintenance Demonstration* the revised preamble language is corrected to add a second paragraph to read—“West Virginia’s May 24, 2004 submittal includes documentation that the ambient impact of PM<sub>10</sub> emissions from onroad motor vehicles was not and is not significant as it has been and

continues to be less than five percent of the total PM<sub>10</sub> ambient concentrations in the area. Stationary (point) source emissions are responsible for the remaining impacts. The enforceable measures imposed by West Virginia to reduce emissions from these point sources are the basis of the Weirton area achieving the NAAQS for PM<sub>10</sub>. Therefore, no motor vehicle emissions budgets for transportation conformity purposes are required for the Weirton area’s maintenance plan.”

#### Statutory and Executive Order Reviews

As this action merely provides supplemental text to the preamble of the direct final rule published on October 27, 2004, please refer to that direct final rule (69 FR 62591, 62595) for information regarding applicable Statutory and Executive Order Reviews.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This correction to rule document 04–23945 is not a “major rule” as defined by 5 U.S.C. 804(2).

Dated: November 3, 2004.

**Donald S. Welsh,**

*Regional Administrator, EPA Region III.*

[FR Doc. 04–24912 Filed 11–8–04; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[FRL–7835–9]

#### Maine: Final Authorization of State Hazardous Waste Management Program Revision

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

**ACTION:** Immediate final rule.

**SUMMARY:** The State of Maine has applied to EPA for Final authorization of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has determined that these changes satisfy all requirements needed to qualify for final authorization, and is

authorizing the State’s changes through this immediate final action. EPA is publishing this rule to authorize the changes without a prior proposal because we believe this action is not controversial and do not expect adverse comments that oppose it. Unless we get written comments which oppose this authorization during the comment period, the decision to authorize Maine’s changes to their hazardous waste program will take effect. If we get comments that oppose this action, we will publish a document in the **Federal Register** withdrawing this rule before it takes effect and the separate document in the proposed rules section of this **Federal Register** will serve as a proposal to authorize the changes.

**DATES:** This Final authorization will become effective on January 10, 2005, unless EPA receives adverse written comment by December 9, 2004. If EPA receives such comment, it will publish a timely withdrawal of this immediate final rule in the **Federal Register** and inform the public that this authorization will not take effect.

**ADDRESSES:** Dockets containing copies of the State of Maine’s revision application and the materials which the EPA used in evaluating the revision have been established at the following two locations: (i) EPA Region 1 Library, One Congress Street–11th Floor, Boston, MA 02114–2023; business hours Monday through Thursday 10 a.m.–3 p.m., tel: (617) 918–1990; and (ii) Maine Department of Environmental Protection, Hospital Street, Augusta, ME 04333; business hours Monday through Thursday 8:30 a.m.–4:30 p.m., and Friday 8:30 a.m.–12:30 p.m., tel: (207) 287–7843. Records in these dockets are available for inspection during normal business hours.

#### FOR FURTHER INFORMATION CONTACT:

Sharon Leitch, Hazardous Waste Unit, EPA Region 1, One Congress Street, Suite 1100 (CHW), Boston, MA 02114–2023; tel: (617) 918–1647, e-mail: [leitch.sharon@epa.gov](mailto:leitch.sharon@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Why Are Revisions to State Programs Necessary?

States which have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, States must change their programs and ask EPA to authorize the changes. Changes to State programs may be necessary when Federal or State statutory or regulatory authority is