

amended by the American Bar Association at the end of its February 2002 Midyear Meeting, also known as the Ethics 2000 revisions.

**DATES:** You must submit your comments by Monday, April 12, 2004. The Office may not necessarily consider or include in the Administrative Record for the proposed rule comments that the Office receives after the close of this extended comment period or comments delivered to an address other than those listed below.

**ADDRESSES:** Comments should be sent by electronic mail over the Internet addressed to:

*ethicsrules.comments@uspto.gov.*

Comments may also be submitted by mail addressed to: Mail Stop OED—Ethics Rules, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450 or by facsimile to (703) 306-4134, marked to the attention of Harry I. Moatz.

Although comments may be submitted by mail or facsimile, the Office prefers to receive comments via the Internet. If comments are submitted by mail, the Office would prefer that the comments be submitted on a DOS formatted 3½-inch disk accompanied by a paper copy. The comments will be available for public inspection at the Office of Enrollment and Discipline, located in Room 1103, Crystal Plaza 6, 2221 South Clark Street, Arlington, Virginia, and will be available through anonymous file transfer protocol (ftp) via the Internet (address: *http://www.uspto.gov*). Since comments will be made available for public inspection, information that is not desired to be made public should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:** Harry I. Moatz ((703) 305-9145), Director of Enrollment and Discipline (OED Director), directly by phone, or by facsimile to (703) 305-4136, marked to the attention of Mr. Moatz, or by mail addressed to: Mail Stop OED—Ethics Rules, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450.

**SUPPLEMENTARY INFORMATION:** The USPTO published the proposed rules on December 12, 2003 (68 FR 69442) and provided a 60-day comment period that will end on February 10, 2004. We are extending the comment period on proposed rules 11.100 through 11.900 in subpart D until April 12, 2004, to allow the public additional time to provide us with their comments.

The Office seeks comments regarding proposed rules 11.100 through 11.900 in subpart D, in part, because the proposed rules do not contemplate inclusion of

the Ethics 2000 revisions to the Model Rules of Professional Conduct. The Ethics 2000 revisions have not been widely adopted by state bars. Proposed rules 11.100 through 11.900, in large part, are based on the widely adopted Model Rules of Professional Conduct. The extended comment period provides the public an opportunity to address proposed rules 11.100 through 11.900, and whether the Ethics 2000 revisions should be included in the rules adopted by the Office.

Dated: January 22, 2004.

**Jon W. Dudas,**

*Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office.*

[FR Doc. 04-1888 Filed 1-28-04; 8:45 am]

**BILLING CODE 3510-16-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[SC-50-200405 (b); FRL-7614-6]

#### Approval and Promulgation of Implementation Plan: Revisions to South Carolina State Implementation Plan: Transportation Conformity Rule

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is approving the State Implementation Plan (SIP) revision submitted by the State of South Carolina on November 19, 2003, for the purpose of establishing specific consultation procedures for the implementation of transportation conformity requirements. This SIP revision also incorporates the State's adoption of the Federal transportation conformity regulations verbatim. EPA is not taking action on portions of the transportation conformity regulations affected by *Environmental Defense Fund v. EPA*, 167 F.3d 641 (D.C. Cir. 1999), including sections 102(c)(1), 118(e)(1), 120(a)(2), 121(a)(1), and 124(b). In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no significant, material, and adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives 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 rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** Written comments must be received on or before March 1, 2004.

**ADDRESSES:** Comments may be submitted by mail to: Matt Laurita, Air Quality Modeling and Transportation Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Comments may also be submitted electronically, or through hand delivery/courier. Please follow the detailed instructions described in the direct final rule, **SUPPLEMENTARY INFORMATION** section (sections IV.B.1. through 3.), which is published in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Matt Laurita, Air Quality Modeling and Transportation Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9044. Mr. Laurita can also be reached via electronic mail at *laurita.matthew@epa.gov*.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: January 5, 2004.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 04-1819 Filed 1-28-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7612-7]

#### National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent of partial deletion of the Hubbell/Tamarack City parcel of the Torch Lake Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency, (EPA) Region V is issuing a

notice of partial deletion of the Hubbell/Tamarack City parcel of Operable Unit (OUI) of the Torch Lake Superfund Site (Site) located in Houghton County, Michigan, from the National Priorities List (NPL) and requests public comments on this notice of intent to delete. The Hubbell/Tamarack City parcel of OUI includes, tailing and slag piles associated with the Torch Lake Superfund Site. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is found at appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of Michigan, through the Michigan Department of Environmental Quality (MDEQ), have determined that all appropriate response actions under CERCLA have been completed. However, this partial deletion does not preclude future actions under Superfund. In the "Rules and Regulations" section of today's **Federal Register**, we are publishing a direct final notice of partial deletion of the Hubbell/Tamarack City parcel of the Torch Lake Superfund Site without prior notice of intent to delete because we view this as a non-controversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final notice of deletion. If we receive no adverse comment(s) on the direct final notice of deletion, we will not take further action. If we receive timely adverse comment(s), we will withdraw the direct final notice of deletion and it will not take effect. We will, as appropriate, address all public comments in a subsequent final deletion notice based on adverse comments received on this notice of intent to delete. We will not institute a second comment period on this notice of intent to delete. Any parties interested in commenting must do so at this time. For additional information, see the direct final notice of deletion which is located in the Rules section of this **Federal Register**.

**DATES:** Comments concerning this Site must be received by March 1, 2004.

**ADDRESSES:** Written comments should be addressed to: Dave Novak, Community Involvement Coordinator, U.S. EPA (P-19J), 77 W. Jackson, Chicago, IL 60604, 312-886-7478 or 1-800-621-8431.

**FOR FURTHER INFORMATION CONTACT:** Brenda Jones, Remedial Project Manager at (312) 886-7188, or Gladys Beard, State NPL Deletion Process Manager at

(312) 886-7253 or 1-800-621-8431, Superfund Division, U.S. EPA (SR-6J), 77 W. Jackson, IL 60604.

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct Final Notice of Deletion which is located in the Rules section of this **Federal Register**.

**Information Repositories:** Repositories have been established to provide detailed information concerning this decision at the following address: EPA Region V Record Center, 77 W. Jackson, Chicago, IL 60604, (312) 353-5821, Monday through Friday 8 a.m. to 4 p.m.; Lake Linden/Hubbell Public Library, 601 Calumet St., Lake Linden, MI 49945, (906) 296-0698, Monday through Friday 8 a.m. to 4 p.m., Tuesday and Thursday 6 p.m. to 8 p.m.; Portage Lake District Library, 105 Huron, Houghton, MI 49931 (906) 482-4570, Monday, Tuesday and Thursday 10 a.m. to 9 p.m., Wednesday and Friday 10 a.m. to 5 p.m. and Saturday 12 p.m. to 5 p.m.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Dated: January 14, 2004.

**William E. Muno,**

*Acting Regional Administrator, Region V.*  
[FR Doc. 04-1544 Filed 1-28-04; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL MARITIME COMMISSION

### 46 CFR Part 515

[Docket No. 04-02]

#### Optional Rider for Proof of Additional NVOCC Financial Responsibility

**AGENCY:** Federal Maritime Commission.  
**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Maritime Commission proposes to amend its regulations governing proof of financial responsibility for ocean transportation intermediaries. The Commission proposes to allow an optional rider for additional coverage to be filed with a licensed non-vessel-operating common carrier's proof of financial responsibility for such carriers serving the U.S. oceanborne trade with the People's Republic of China.

**DATES:** Comments must be received no later than February 20, 2004. Requests for meetings to make oral presentations to individual Commissioners must be received, and the meetings completed, by this date as well. Submit an original and 15 copies of comments (paper), or e-mail comments as an attachment in WordPerfect 8, Microsoft Word 2000, or earlier versions of these applications.

**ADDRESSES:** Address all comments concerning this proposed rule to: Bryant L. VanBrakle, Secretary, Federal Maritime Commission, 800 North Capitol Street, NW., Room 1046, Washington, DC 20573-0001, (202) 523-5725, E-mail: [secretary@fmc.gov](mailto:secretary@fmc.gov).

**FOR FURTHER INFORMATION CONTACT:** Amy W. Larson, General Counsel, Federal Maritime Commission, 800 North Capitol Street, NW., Room 1018, Washington, DC 20573-0001, (202) 523-5740, E-mail: [GeneralCounsel@fmc.gov](mailto:GeneralCounsel@fmc.gov).

Sandra A. Kusumoto, Director, Bureau of Consumer Complaints and Licensing, Federal Maritime Commission, 800 North Capitol Street, NW., Room 970, Washington, DC 20573-0001, (202) 523-5787, E-mail: [otibonds@fmc.gov](mailto:otibonds@fmc.gov).

**SUPPLEMENTARY INFORMATION:** On January 22, 2004, the Federal Maritime Commission ("FMC" or "Commission") granted in part and denied in part a petition for rulemaking ("Petition") from the National Customs Brokers and Forwarders Association of America, Inc. ("NCBFAA"). Petition No. P10-03, *Petition of the National Customs Brokers and Forwarders Association of America, Inc. for Rulemaking*. NCBFAA, a trade association representing licensed ocean transportation intermediaries ("OTIs") in the U.S., whose members it claims are linked to 90% of the U.S. oceanborne cargo, petitioned the Commission to change its rules to effectuate concessions made by the People's Republic of China ("PRC" or "China") in a recently concluded U.S.-China Agreement on Maritime Transport ("Agreement"). The Agreement's associated Memorandum of Consultations provides that the Chinese government will not require U.S. NVOCCs to make a cash deposit in a Chinese bank, as long as the NVOCC: (1) Is a legal person registered by U.S. authorities; (2) obtains an FMC license as an NVOCC; and (3) provides evidence of financial responsibility in the total amount of RMB 800,000 or U.S. \$96,000. Therefore, it appears that an FMC-licensed NVOCC that voluntarily provides an additional surety bond in the amount of \$21,000, which by its conditions is responsive to potential claims of the Chinese Ministry of Communications ("MOC") (as well as