

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 security 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. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did

not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, 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 rule is categorically excluded, under figure 2–1, paragraph (32)(e) of the Instruction, from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons discussed in the preamble, the Coast Guard proposes to temporarily 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 P.L. 102–587, 106 Stat. 5039.

2. From 8 a.m. on January 3, 2005, through 5 p.m. on March 31, 2005, add a new temporary paragraph (l) to § 117.733 to read as follows:

§ 117.733 New Jersey Intracoastal Waterway.

* * * * *

(l) The draw of the Route 13/ Lovelandtown Bridge across Point Pleasant Canal, at mile 3.9, at Point Pleasant, need not be opened for the passage of vessels from 8 a.m. on January 3, 2005, through 5 p.m. on March 31, 2005. However, between 9 a.m. to 2 p.m. Monday to Friday, the draw shall open on signal if at least 24 hours advance notice is given by calling (732) 528–9494 or (215) 416–1235.

Dated: October 19, 2004.

Sally Brice-O'Hara,

Rear Admiral, U. S. Coast Guard,

Commander, Fifth Coast Guard District.

[FR Doc. 04–24255 Filed 10–28–04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 50

[FRL–7831–3]

Air Quality Criteria for Particulate Matter

AGENCY: Environmental Protection Agency.

ACTION: Notice of Availability of Final Document.

SUMMARY: This notice announces the availability of a final document, Air Quality Criteria for Particulate Matter (EPA/600/P–99/002aF, EPA/600/P–99/002bF) that was prepared by the U.S. Environmental Protection Agency's (EPA) National Center for Environmental Assessment (NCEA) of the Office of Research and Development (ORD).

DATES: This document will be available the week of October 25, 2004.

ADDRESSES: The document will be made available electronically through the NCEA Web site (<http://www.epa.gov/ncea/publications>). A limited number of paper or CD-ROM copies will be available from the EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone: 1 (800) 490–9198 or (513) 489–8190; facsimile: (513) 489–8695. Please provide your name, your mailing address, the title and the EPA number of the requested publication.

FOR FURTHER INFORMATION CONTACT: For questions on availability of the document, contact Diane Ray, NCEA, telephone: (919) 541–3789, fax: (919) 541–1818, or email ray.diane@epa.gov. For technical information, contact Robert Elias, Ph.D., NCEA, fax: (919) 541–1818 or email: elias.robert@epa.gov.

SUPPLEMENTARY INFORMATION: Section 108 (a) of the Clean Air Act directs the Administrator to identify certain pollutants which "may reasonably be anticipated to endanger public health and welfare" and to issue air quality criteria for them. These air quality criteria are to "accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air. * * *" EPA is then to establish National Ambient Air Quality Standards (NAAQS) for each pollutant for which EPA has issued criteria. Section 109 (d) of the Act requires "thorough" periodic review and, if appropriate, revision of

existing air quality criteria to reflect the latest scientific data on all identifiable effects on public health and welfare of the pollutant. EPA is also to revise the NAAQS, if appropriate, based on the revised criteria.

Particulate matter (PM) is one of six "criteria" pollutants for which EPA has established air quality criteria and NAAQS. EPA initially announced details of its plans for the review of the criteria and NAAQS for PM in an October 23, 1997 **Federal Register** notice (62 FR 55201). As part of its current review cycle of the PM criteria and NAAQS, EPA has revised the existing Criteria Document for PM. The revised Criteria Document will be publicly available on or about October 29, 2004, as described above.

Dated: October 25, 2004.

George Alapas,

Director, National Center for Environmental Assessment.

[FR Doc. 04-24232 Filed 10-28-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R06-OAR-2004-TX-0002; FRL-7830-9]

Approval and Promulgation of Air Quality Implementation Plans; Texas; Memorandum of Agreement Between Texas Commission on Environmental Quality and the North Central Texas Council of Governments Providing Emissions Offsets to Dallas Fort Worth International Airport

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the Texas Commission on Environmental Quality (TCEQ) on February 23, 2004. This revision concerns the Dallas/Fort Worth ozone nonattainment area. Specifically, EPA is proposing to approve the incorporation of a Memorandum of Agreement (MOA) between the TCEQ and the North Central Texas Council of Governments (NCTCOG) into the SIP. This MOA commits the NCTCOG to provide the Dallas-Fort Worth International Airport with emissions offsets in the amount of 0.18 tons per day (tpd) of nitrogen oxides (NO_x) and 0.04 tpd of volatile organic compounds (VOCs) in 2007 and to adjust the modeled 2015 on-road emission estimates to reflect an increase of 1.17 tpd of NO_x and 0.26 tpd of VOCs, which

must be accommodated in future transportation conformity determinations. This action is necessary in order for the Federal Aviation Administration (FAA) to address requirements under the general conformity regulations.

DATES: Written comments should be received on or before November 29, 2004.

ADDRESSES: Comments may be mailed to Mr. Thomas Diggs, Chief, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas, 75202-2733. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Peggy Wade, Air Planning Section (6PD-L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733, telephone (214) 665-7247; fax number 214-665-7263; e-mail address wade.peggy@epa.gov.

SUPPLEMENTARY INFORMATION: In the final rules section of this **Federal Register**, EPA is approving the State's SIP submittal 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 adverse comments are received in response to this action 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 proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: October 19, 2004.

Richard E. Greene,

Regional Administrator, Region 6.

[FR Doc. 04-24128 Filed 10-28-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R05-OAR-2004-IN-0002; FRL-7826-7]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to approve Indiana's February 10, 2004, and April 12, 2004, submittal of a revision to its existing emission reporting rule to be consistent with the emission statement program requirements for stationary sources in the Clean Air Act (CAA). On April 12, 2004, Indiana submitted its final rule as published in the Indiana Register. Indiana held a public hearing on the submittal on December 3, 2003. EPA is approving the revision to the emission reporting rule to satisfy the emission statement program requirements in the CAA.

In the final rules section of this **Federal Register**, EPA is approving the SIP revision as a direct final rule without prior proposal, because EPA views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this proposed rule. 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 proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before November 29, 2004.

ADDRESSES: Submit comments, identified by Regional Material in EDocket ID No. R05-OAR-2004-IN-0002 by one of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

Agency Web site: <http://docket.epa.gov/rmepub/index.jsp> material in Edocket (RME), EPA's electronic public docket and connect system, is EPA's preferred method for receiving comments. Once in the system, select "quick search" then key in the appropriate RME Docket