

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 ended on February 10, 2004. An earlier notice extended the time period to comment on the proposed rules with respect to Subpart D by sixty days to April 12, 2004. 69 FR 4269 (Jan. 29, 2004). A number of parties have suggested that time be extended to submit comments. More than two weeks have now passed since the original period for comments. Responding to suggestions by some parties who have submitted comments, we are expanding the scope of that extension of time to encompass not only Subpart D, but also proposed rules 1.4(d)(2),

1.8(a)(2)(iii)(A), 1.21(a)(6) through (a)(9), 1.21(a)(11), 1.21(a)(12), 2.11, 2.17, 2.24, 2.33, 2.61, 11.2(b)(4) through 11.2(b)(7), 11.3(b) and (c), 11.5(b), 11.8(d), 11.9(c) (last two sentences), 11.9(d), 11.10(c) (second sentence), 11.10(d) (second sentence), 11.10(e) (second sentence), 11.11(b) through (f), 11.12 through 11.62, and 11.100 through 11.900, as well as certain definitions in proposed rule 11.1 of terms that are used only in rules in Subparts B, C and D. Inasmuch as a response to the requested extension of time has been delayed, an additional 120 days will be given to file comments. Comments will be received by the Office on the specified proposals until June 11, 2004, to allow the public additional time to provide us with comments. The extension provides a total of nearly six

months to submit comments on the specified proposed rules.

The proposed rules are a comprehensive effort by the Office to address an annual fee, mandatory continuing education, and “improve the Office’s processes for handling applications for registration, petitions, investigations, and disciplinary proceedings * * *” 68 Fed. Reg. at 69442. The Office requested comments on the proposed rules and processes. In response, the Office received a reply by one set of stakeholders that the time be extended to reply to the proposed rules in Subpart D. The Office has now also received requests from individuals, law firms, professional organizations, and others requesting an extension of time to consider and respond to the proposed rules. The requests indicate that they regard proposals in Subparts A, B and C to be sufficiently related to the Rules of Professional Conduct found in Subpart D such that additional time is needed to properly and adequately address the proposal.

In response to those requests, we are extending the time for response until June 11, 2004, with the exception of those rules necessary for administration of the registration examination for patent practitioners, including those definitions that are used in those rules. Rules specific to the enrollment process are severable from the remaining proposals. The Office has received extensive comments on them and has decided to proceed to final rule making based upon those comments in order not to delay the enrollment of individuals as newly qualified registered patent practitioners. No parties should be prejudiced by the additional time accorded for comment on the remaining proposed rules.

The extended comment period provides the public an opportunity to address proposed rules 1.4(d)(2), 1.8(a)(2)(iii)(A), 1.21(a)(6) through (a)(9), 1.21(a)(11), 1.21(a)(12), 2.11, 2.17, 2.24, 2.33, 2.61, 11.2(b)(4) through 11.2(b)(7), 11.3(b) and (c), 11.5(b), 11.8(d), 11.9(c) (last two sentences), 11.9(d), 11.10(c) (second sentence), 11.10(d) (second sentence), 11.10(e) (second sentence), 11.11(b) through (f), 11.12 through 11.62, and 11.100 through 11.900, as well as the definition of terms in proposed rule 11.1 that are used only in rules in Subparts B, C and D. Time is not being extended to comment upon the provisions in proposed rules 1.1, 1.21(a)(1) through (a)(5), 1.21(a)(10), 1.31, 1.33(c), 1.455(a), 11.2(a) through 11.2(b)(3), 11.2(c) through 11.2(e), 11.3(a) and (d), 11.4 through 11.5(a), 11.6 through 11.8(c), 11.9(a) through 11.9(c) (first sentence), 11.10(a) through

11.10(c) (first sentence), 11.10(d) (first sentence), 11.10(e) (first and third sentences), and 11.11(a), as well as the definitions in proposed rule 11.1 of terms used in those rules.

Dated: February 26, 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. 04-4652 Filed 3-2-04; 8:45 am]

BILLING CODE 3510-16-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[FRL-7629-7; LA-66-1-7598b]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Louisiana; Plan for Controlling Emissions From Existing Commercial and Industrial Solid Waste Incinerators

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing a direct final approval of the sections 111(d)/129 State Plan submitted by the Louisiana Department of Environmental Quality (LDEQ) on February 18, 2003. The State Plan establishes emission limits, monitoring, operating, and recordkeeping requirements for commercial and industrial solid waste incinerator (CISWI) units for which construction commenced on or before November 30, 1999.

DATES: Written comments must be received by April 2, 2004.

ADDRESSES: Comments may be submitted electronically, by mail, by facsimile, or through hand delivery/courier by following the detailed instructions provided under the “Public Participation” heading in the Supplemental Information section of direct final rule located in the “Rules and Regulations” section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth W. Boyce, Air Planning Section, Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2833, at (214) 665-7259 or boyce.kenneth@epa.gov.

SUPPLEMENTARY INFORMATION: In the “Rules and Regulations” section of this **Federal Register**, EPA is approving

Louisiana's Sections 111(d)/129 State Plan as a direct final rule without prior proposal because EPA views this as a noncontroversial submittal and anticipates no adverse comment. The EPA has explained its reasons for this approval in the preamble to the direct final rule. If EPA receives no relevant adverse comment, EPA will not take further action on this proposed rule. If EPA receives relevant 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 must 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 located in the "Rules and Regulations" section of this **Federal Register**.

Dated: February 13, 2004.

Richard E. Greene,

Regional Administrator, Region 6.

[FR Doc. 04-4623 Filed 3-2-04; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-7629-3]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent for partial deletion of the West Virginia Ordnance Works Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region III announces its intent to delete five areas of the West Virginia Ordnance Works (WVOW) National Priorities List (NPL) site from the NPL and requests public comment on this action. The areas are the Operable Unit 10 (OU-10) South Acids Area, Cooling Tower Area, and Toluene Storage Areas; the Expanded Site Investigation 1 (ESI-1) Magazine Area; the ESI-4 Red Water Outfall Sewer; the ESI-6 Motorpool/Maintenance Area; and the ESI-7 Former Sewage

Treatment Plant. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

This proposal for partial deletion pertains only to OU-10, ESI-1, ESI-4, ESI-6, and ESI-7. The U.S. Army Corps of Engineers (USACE), together with EPA, issued a no further action Record of Decision (ROD) for OU-10. USACE and EPA issued no further action Decision Documents for ESIs-1, -4, -6, and -7, which were concurred upon by the West Virginia Department of Environmental Protection (WVDEP). EPA bases its proposal to delete these five areas at WVOW on the determination by EPA, USACE, and WVDEP that all appropriate actions under CERCLA have been implemented to protect human health and the environment at OU-10 and ESIs-1, -4, -6, and -7.

This partial deletion pertains only to these areas of the WVOW site and does not include any other ESI or any OU. All other ESIs and OUs not previously deleted will remain on the NPL, and investigation and response activities will continue at those ESIs and OUs.

DATES: EPA will accept comments on this proposal until April 2, 2004.

ADDRESSES: Comments may be submitted to the following: Mr. Jack Potosnak, PE, Remedial Project Manager, U.S. EPA, Region III (3HS13), 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029, Telephone: (215) 814-3362.

INFORMATION REPOSITORIES:

Comprehensive information on the WVOW site, information specific to this proposed partial deletion, the Administrative Record and the Deletion Docket for this partial deletion are available for review at the following WVOW site document/information repositories:

Mason County Public Library, 508 Viand Street, Point Pleasant, WV 25550, (304) 675-0894, Hours of Operation: Monday through Thursday, 10 a.m.-8 p.m. and Friday through Saturday, 10 a.m.-5 p.m.

U.S. EPA Region III Library, 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-5254, Hours of Operation: Monday through Friday, 8 a.m.-5 p.m.

U.S. Army Corps of Engineers, Huntington District, 502 8th Street, Huntington, WV 25701, (800) 822-8413 or (304) 399-5388, Hours of Operation:

Monday through Friday, 8 a.m.-4:30 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Jack Potosnak, PE, Remedial Project Manager, U.S. EPA Region III (3HS13), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3362.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Partial Site Deletion

I. Introduction

The United States Environmental Protection Agency (EPA) Region III announces its intent to delete a portion of the West Virginia Ordnance Works (WVOW) site located in Mason County, West Virginia, from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, and requests comments on this proposal. This proposal for partial deletion pertains to OU-10, ESI-1, ESI-4, ESI-6, and ESI-7.

The WVOW site is located on the east bank of the Ohio River, approximately six miles north of Point Pleasant, Mason County, West Virginia. Contamination of the WVOW site originated from the operation of a trinitrotoluene (TNT) manufacturing facility during World War II. Nitroaromatic (explosive) compounds are the primary contaminants of concern at the WVOW site.

The WVOW site, as added to the NPL in 1983, encompassed an entire area of approximately 8,323 acres. In 1994, after 11 years of investigation and other activities at the WVOW site that helped to determine where contamination at the site existed, EPA, USACE, and WVDEP worked together to clarify the boundary of the WVOW site by developing a site boundary map delineating areas of known or suspected contamination. The WVOW site boundary as delineated in the 1994 mapping encompassed approximately 2700 acres. This clarification of the site boundary was undertaken in accordance with EPA's interpretation of "facility," which was defined by Congress in section 101(9)(B) of CERCLA, 42 U.S.C. 9601(9)(B), as "any site or area where a hazardous substance has been deposited, stored, disposed of, or placed or otherwise come to be located * * *." EPA has routinely explained how site boundaries are determined when notifying the public regarding additions to the NPL. See, e.g., National Priorities List for Uncontrolled Hazardous Waste