

Dated: December 17, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies  
Division.*

[FR Doc. 04-85 Filed 1-2-04; 8:45 am]

BILLING CODE 6560-50-U

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7607-2]

### Air Pollution Control; Proposed Administrative Action on Clean Air Act Grant to the Puerto Rico Environmental Quality Board

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

**ACTION:** Proposed administrative action  
to revoke grant with request for  
comments and notice of opportunity for  
public hearing.

**SUMMARY:** Section 105(c)(1) of the Clean Air Act (CAA), 42 U.S.C. 7405(c)(1), provides that “[n]o [air pollution control] agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs [maintenance of effort or MOE level] will be less than its expenditures were for such programs during the preceding fiscal year.” Although the Puerto Rico Environmental Quality Board (PREQB) has successfully completed its Fiscal Year 2002 air pollution control program, PREQB is unable to demonstrate that it has satisfied the statutory maintenance of effort requirement for its Fiscal Year 2002 Clean Air Act section 105 grant. Since PREQB did not satisfy the statutory requirement for the maintenance of effort for Fiscal Year 2002, EPA intends to revoke PREQB’s Fiscal Year 2002 Clean Air Act section 105 grant. Pursuant to section 105(e) of the CAA, the EPA is providing prior notice of its intent to revoke PREQB’s Fiscal Year 2002 Clean Air Act section 105 grant. The proposed administrative action does not otherwise impact the air pollution control program already carried out by PREQB during Fiscal Year 2002, which ended on September 30, 2002. When the proposed action is final, PREQB will be eligible to receive future CAA Section 105 grants to support its air pollution control program.

**DATES:** Comments and/or requests for a public hearing must be received by EPA at the address stated below by February 4, 2004.

**ADDRESSES:** Comments may be submitted either by mail or

electronically. Written comments should be mailed to Carl-Axel Soderberg, Director, Caribbean Environmental Protection Division, United States Environmental Protection Agency—Region 2, Centro Europa Building, 1492 Ponce de Leon Avenue, Suite 417, Santurce, Puerto Rico 00907-4127. Electronic comments could be sent either to [soderberg.carl@epa.gov](mailto:soderberg.carl@epa.gov) or to <http://www.regulations.gov>, which is an alternative method for submitting electronic comments to EPA. Go directly to <http://www.regulations.gov>, then select “Environmental Protection Agency” at the top of the page and use the “go” button. Please follow the on-line instructions for submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Carl-Axel Soderberg, Director, Caribbean Environmental Protection Division, United States Environmental Protection Agency—Region 2, Centro Europa Building, 1492 Ponce de Leon Avenue, Suite 417, Santurce, Puerto Rico 00907-4127, Telephone: (787) 977-5814, Email Address: [soderberg.carl@epa.gov](mailto:soderberg.carl@epa.gov) FAX: (787) 289-7982.

**SUPPLEMENTARY INFORMATION:** The EPA’s implementing regulations at 40 CFR 35.146(a) reiterate the CAA section 105(c)(1) MOE requirement.

This notice constitutes a request for public comment and an opportunity for public hearing as required by the Clean Air Act and EPA’s implementing regulations at 40 CFR 35.148(b). All written comments received by February 4, 2004 on this proposal will be considered. EPA will conduct a public hearing on this proposal if EPA finds, on the basis of written requests for a public hearing, that the issues raised are substantial or a significant degree of public interest in this proposal has been expressed; written requests for a hearing must be received by EPA at the address above by February 4, 2004.

If no written request for a hearing is received or if EPA determines that the issues raised are insubstantial or no significant degree of public interest in this proposed action has been expressed, EPA will proceed to the final action on this grant.

Dated: December 24, 2003.

**Kathleen Callahan,**

*Acting Regional Administrator, Region 2.*

[FR Doc. 04-84 Filed 1-2-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[CO-001-0078; FRL-7607-1]

### Adequacy Status of the Greeley, Colorado Carbon Monoxide Revised Maintenance Plan for Transportation Conformity Purposes

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this document, EPA is notifying the public that we have found that the motor vehicle emissions budgets in the Greeley, Colorado carbon monoxide (CO) revised maintenance plan, that was submitted by the Governor on June 20, 2003, are adequate for conformity purposes. On March 2, 1999, the DC Circuit Court ruled that budgets in submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, the North Front Range Transportation & Air Quality Planning Council, the City of Greeley, the Colorado Department of Transportation and the U.S. Department of Transportation are required to use the motor vehicle emissions budgets from this submitted maintenance plan for future conformity determinations.

**DATES:** This finding is effective January 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Tim Russ, Air & Radiation Program (8P-AR), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, (303) 312-6479. The letter documenting our finding is available at EPA’s conformity Web site: <http://www.epa.gov/otaq/transp/conform/adequacy.htm>.

#### SUPPLEMENTARY INFORMATION:

Throughout this document wherever “we”, “us”, or “our” are used we mean EPA.

This action is simply an announcement of a finding that we have already made. We sent a letter to the Colorado Air Pollution Control Division on October 29, 2003, stating that the motor vehicle emissions budgets in the submitted Greeley revised CO maintenance plan are adequate. This finding has also been announced on our conformity Web site at <http://www.epa.gov/otaq/transp/conform/adequacy.htm>.

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 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). Please note that an adequacy review is separate from our completeness review, and it also should not be used to prejudice our ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved, and vice versa.

We've described our process for determining the adequacy of submitted SIP budgets in a memo entitled, "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision," dated May 14, 1999. We followed this guidance in making our adequacy determination.

For the reader's ease, we have excerpted the motor vehicle emission budgets from the Greeley revised CO maintenance plan and they are as follows: Interim year budgets; for the years from 2005 through 2009, the budget is 63 tons per day of CO, and for the years from 2010 through 2014, the budget is 62 tons per day of CO. The final year budget, for the year 2015 and beyond, is 60 tons per day of CO.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: December 5, 2003.

**Patricia D. Hull,**

*Acting Regional Administrator, Region VIII.*

[FR Doc. 04-83 Filed 1-2-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7606-8]

### Notice of Availability of Draft Aquatic Life Criteria Document for Nonylphenol and Request for Scientific Views

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

**ACTION:** Notice of availability and request for scientific views.

**SUMMARY:** This notice informs the public about the availability of a draft aquatic life criteria document for nonylphenol and requests scientific views. The Clean Water Act (CWA) requires the Environmental Protection Agency to develop and publish, and from time to time revise, criteria for water accurately reflecting the latest scientific

knowledge. When final, these criteria will provide EPA's recommendations to States and authorized Tribes as they establish their water quality standards as State or Tribal law or regulation. Once established, an EPA water quality criterion does not substitute for the CWA or EPA regulations, nor is it a regulation. It cannot impose legally binding requirements on the EPA, States, authorized Tribes or the regulated community. State and tribal decision makers have discretion to adopt approaches that differ from EPA's guidance on a case-by-case basis. At this time the Agency is not making a final recommendation. Rather the Agency is requesting scientific views on the draft document.

**DATES:** All scientific information must be submitted to the Agency on or before April 5, 2004.

**ADDRESSES:** Scientific views must be submitted electronically, by mail, or through hand-delivery/courier. Follow detailed instructions as provided in section C of the **SUPPLEMENTARY INFORMATION** section.

Copies of the criteria document entitled, *Draft Ambient Aquatic Life Water Quality Criteria for Nonylphenol* (EPA-822-R-03-029) may be obtained from EPA's Water Resource Center by phone at (202) 566-1729, or by e-mail to [center.water.resource@epa.gov](mailto:center.water.resource@epa.gov) or by conventional mail to: EPA Water Resource Center, 4101T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. You can also download the document from EPA's Web site at <http://www.epa.gov/waterscience/criteria/nonylphenol/>.

**FOR FURTHER INFORMATION CONTACT:** Frank Gostomski, Health and Ecological Criteria Division (4304T), U.S. EPA, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; (202) 566-1105; [gostomski.frank@epa.gov](mailto:gostomski.frank@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Interested Entities

Entities potentially interested in today's notice are those that produce, use, or regulate nonylphenol. Categories and entities interested in today's action include:

Category	Examples of interested entities
State/Local/Tribal Government.	States and Tribes
Nonylphenol Dischargers.	Sewage treatment plants
Nonylphenol Users ....	Producers of surfactants

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be interested by this notice. This table lists the types of entities that EPA is now aware could potentially be interested by this action. Other types of entities not listed in the table could also be interested.

##### B. How Can I Get Copies of This Document and Other Related Information?

1. **Docket.** EPA has established an official public docket for this notice under Docket ID No. OW-2003-0080. The official public docket consists of the documents specifically referenced in this notice, any scientific views received, and other information related to this notice. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at Water Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. To view these documents materials, please call ahead to schedule an appointment. Every user is entitled to copy 266 pages per day before incurring a charge. The Docket may charge 15 cents a page for each page over the 266-page limit plus an administrative fee of \$25.00.

2. **Electronic Access.** You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view scientific views, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket,