

more representatives of the FAA Western-Pacific Region. Representatives from the FAA will present a formal briefing on the proposed modifications to the Class B airspace area. Each participant will be given an opportunity to deliver comments or make a presentation.

(b) The meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter.

(d) The meetings will not be adjourned until everyone on the list has had an opportunity to address the panel.

(e) Position papers or other handout material relating to the substance of these meetings will be accepted. Participants wishing to submit handout material should present *three* copies to the presiding officer. There should be additional copies of each handout available for other attendees.

(f) These meetings will not be formally recorded. However, a summary of the comments made at the meeting will be filed in the docket.

#### Agenda for the Meetings

- Opening Remarks and Discussion of Meeting Procedures.
- Briefing on Background of the Class B Proposal.
- Public Presentations and Comments.
- Closing Comments.

Issued in Washington, DC, on November 4, 2003.

**Paul B. Gallant,**

*Acting, Manager, Airspace and Rules Division.*

[FR Doc. 03-28528 Filed 11-14-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2003-15411; Airspace Docket No. 02-ANM-15]

RIN 2120-AA66

#### Establishment of Restricted Area 4601 A, B, C, and D, Bearpaw; MT

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to establish new restricted areas (R-4601

A, B, C, and D) in the vicinity of Bearpaw, MT, as part of a Montana Air National Guard (MANG) training initiative. The MANG has requested the airspace be established to improve current air-to-ground training efficiency for the 120th Fighter Wing (120th FW).

**DATES:** Comments must be received on or before January 16, 2004.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2003-15411, and Airspace Docket No. 02-ANM-15) and be submitted in triplicate to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You may also submit comments through the Internet at <http://dms.dot.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2003-15411, and Airspace Docket No. 02-ANM-15." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received.

All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Federal Register's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see address in "Comments Invited" section) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 1601 Lind Avenue, #14, SW., Renton, WA 98055.

Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### History

Air National Guard units must be capable of responding to a variety of needs, wartime situations, and peacekeeping missions that were formerly assigned to the active duty Air Force. To respond to these situations rapidly and effectively, Air National Guard units must train to the same standards established for the active duty Air Force, including weapons delivery training at air-to-ground training ranges. The establishment of a training range in Montana would result in time and cost savings to the 120th FW. The 120th FW currently conducts most of its air-to-ground training at the Utah Test and Training Range. A "local" training range (within a distance of 150 nautical miles from Great Falls) would save at least 41 minutes of flying time for each mission while increasing the amount of time spent training on that mission by 38 minutes. By reducing distance traveled to conduct air-to-ground training the efficiency and effectiveness of training would be enhanced.

#### The Proposal

The FAA is proposing an amendment to 14 Code of Federal Regulations (CFR) part 73 (part 73) to establish R-4601 A, B, C, and D, in the vicinity Bearpaw, MT, as part of a MANG training initiative. The proposed training range would be located beneath Hays Military Operations Area (MOA) where the MANG, 120th FW currently conducts

training with F-16 aircraft. The proposed airspace would consist of area "A," a three by five statute mile impact area from the surface to 300 feet above ground level (AGL) for inert (nonexplosive) training munitions; area "B," a 300 feet AGL to FL 180 area; area "C," FL 180 to FL 270; and area "D," FL 270 to FL 310. This airspace would total approximately 22 by 18 statute miles.

Section 73.46 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8L dated October 7, 2003.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

This proposal will be subject to the appropriate environmental analysis in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts, prior to any FAA final regulatory action.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

#### PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 73.46 [Amended]

2. § 73.46 is amended as follows:

\* \* \* \* \*

#### R-4601A, Bearpaw, MT (New)

Boundaries. Beginning at (lat. 48°03'33" N, long. 108°57'07" W); (lat. 48°03'33" N, long.

109°03'36" W); (lat. 48°06'09" N, long. 109°03'36" W); (lat. 48°06'09" N, long. 108°57'07" W); to point of beginning.

Designated altitudes. Surface up to, but not including, 300 feet AGL.

Time of designation. Intermittent by NOTAM.

Controlling agency. FAA, Salt Lake City ARTCC.

Using agency. 120th FW, Montana Air National Guard, Great Falls International Airport, MT.

#### R-4601B, Bearpaw, MT (New)

Boundaries. Beginning at (lat. 47°56'00" N, long. 108°54'00" W); (lat. 47°56'00" N, long. 109°17'00" W); (lat. 48°15'00" N, long. 109°17'00" W); (lat. 48°15'00" N, long. 108°54'00" W); to point of beginning.

Designated altitudes. 300 feet AGL up to, but not including, FL 180.

Time of designation. Intermittent by NOTAM.

Controlling agency. FAA, Salt Lake City ARTCC.

Using agency. 120th FW, Montana Air National Guard, Great Falls International Airport, MT.

#### R-4601C, Bearpaw, MT (New)

Boundaries. Beginning at (lat. 47°56'00" N, long. 108°54'00" W); (lat. 47°56'00" N, long. 109°17'00" W); (lat. 48°15'00" N, long. 109°17'00" W); (lat. 48°15'00" N, long. 108°54'00" W); to point of beginning.

Designated altitudes. FL 180 to FL 270.

Time of designation. Intermittent by NOTAM.

Controlling agency. FAA, Salt Lake City ARTCC.

Using agency. 120th FW, Montana Air National Guard, Great Falls International Airport, MT.

#### R-4601D, Bearpaw, MT (New)

Boundaries. Beginning at (lat. 47°56'00" N, long. 108°54'00" W); (lat. 47°56'00" N, long. 109°17'00" W); (lat. 48°15'00" N, long. 109°17'00" W); (lat. 48°15'00" N, long. 108°54'00" W); to point of beginning.

Designated altitudes. FL 270 to FL 310.

Time of designation. Intermittent by NOTAM.

Controlling agency. FAA, Salt Lake City ARTCC.

Using agency. 120th FW, Montana Air National Guard, Great Falls International Airport, MT.

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Issued in Washington, DC, on November 7, 2003.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 261

[SW-FRL-7587-3]

### Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Proposed Exclusion

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

**ACTION:** Proposed rule and request for comment.

**SUMMARY:** The EPA is proposing to grant a petition submitted by American Chrome & Chemicals L.P. (ACC) to exclude (or delist) certain dewatered sludge from the production of chrome oxide green pigments (K006) generated at its Corpus Christi, Texas facility from the lists of hazardous wastes.

The EPA used the Delisting Risk Assessment Software (DRAS) in the evaluation of the impact of the petitioned waste on human health and the environment.

The EPA bases its proposed decision to grant the petition on an evaluation of waste-specific information provided by the petitioner. This proposed decision, if finalized, would conditionally exclude the petitioned waste, the dewatered sludge, from the requirements of hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA). If finalized, the EPA would conclude that ACC's petitioned waste is nonhazardous with respect to the original listing criteria and will substantially reduce the likelihood of migration of constituents from this waste. The EPA would also conclude that their process minimizes short-term and long-term threats from the petitioned waste to human health and the environment.

**DATES:** The EPA will accept comments until January 2, 2004. The EPA will stamp comments received after the close of the comment period as "late." These late comments may not be considered in formulating a final decision. Your requests for a hearing must reach the EPA by December 2, 2003. The request must contain the information prescribed in 40 CFR 260.20(d).

**ADDRESSES:** Please send three copies of your comments. You should send two copies to the Section Chief of the Corrective Action and Waste Minimization Section, Multimedia Planning and Permitting Division, (6PD-C), Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202. You should send a third