

has explained its reasons for this deletion in the direct final notice of deletion. If EPA receives no adverse comment(s) on the direct final notice of deletion, EPA will not take further action. If EPA receives adverse comment(s), EPA will withdraw the direct final notice of deletion and it will not take effect. EPA will, as appropriate, address all public comments in a subsequent final deletion notice based on this notice of intent to delete. EPA 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 and Regulations" section of this **Federal Register**.

DATES: Comments concerning this Site must be received by February 27, 2004.

ADDRESSES: Written comments should be addressed to: Matthew T. Mellon, Remedial Project Manager, U.S. EPA Region III (3HS23), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3168.

FOR FURTHER INFORMATION CONTACT: Matthew T. Mellon, Remedial Project Manager, U.S. EPA Region III (3HS23), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3168 or 1-800-553-2509.

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

Information Repositories: Repositories have been established to provide detailed information concerning this decision at the following addresses: U.S. EPA Region III, Regional Center for Environmental Information (RCEI), 1650 Arch Street (2nd Floor), Philadelphia, PA 19103-2029, (215) 814-5254, Monday through Friday, 8 a.m. to 5 p.m.; and in Delaware at the Delaware Department of Natural Resources and Environmental Control, Site Investigation and Restoration Branch, 391 Lukens Drive, New Castle, DE 19720, (302) 395-2600, Monday through Friday, 8 a.m. to 4 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: November 18, 2003.

Donald S. Welsh,

Regional Administrator, U.S. EPA Region III.

[FR Doc. 04-1822 Filed 1-27-04; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-1999-3705]

RIN 2127-AG16

Federal Motor Vehicle Safety Standards; Door Locks and Door Retention Components

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Termination of rulemaking.

SUMMARY: On August 25, 1995, the National Highway Traffic Safety Administration (NHTSA) received a petition for rulemaking from Independent Mobility Systems (IMS) requesting that the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 206, "Door Locks and Door Retention Components," be modified to exclude retention components on doors modified for use with wheelchair ramp systems. NHTSA granted the IMS petition on May 31, 1996. This notice discusses our decision to terminate rulemaking on this petition.

FOR FURTHER INFORMATION CONTACT: The following persons may be contacted at the National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590:

For Technical Issues: Mr. Maurice Hicks, Office of Crashworthiness Standards, NVS-113, telephone (202) 366-6345, facsimile (202) 366-4329, electronic mail:

maurice.hicks@nhtsa.dot.gov.

For Legal Issues: Ms. Rebecca MacPherson, Office of the Chief Counsel (202) 366-2992, facsimile (202) 366-2260, electronic mail:

rebecca.macpherson@nhtsa.dot.gov.

SUPPLEMENTARY INFORMATION: You may read the materials placed in the docket for this notice (*e.g.*, the August 25, 1995, IMS petition and subsequent rulemaking notices) by going to the Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590.

You may also read the materials on the Internet. To do so, take the following steps:

(1) Go to the Web page of the Department of Transportation DMS (<http://dms.dot.gov/>).

(2) On that page, click on "search" near the top of the page or scroll down to the words "Search the DMS Web" and click on them.

(3) On the next page (<http://dms.dot.gov/search/>), scroll down to "Docket Number" and type in the four-digit docket number shown in the title at the beginning of this notice. After typing the docket number, click on "search."

(4) On the next page ("Docket Summary Information"), which contains docket summary information for the materials in the docket you selected, scroll down to "search results" and click on the desired materials. You may download the materials.

Background

NHTSA received a petition for rulemaking from Independent Mobility System (IMS), Inc., (4100 W. Piedras Street, Farmington, New Mexico 87401) on August 25, 1995, requesting an exemption from the requirements of FMVSS No. 206 for retention components on any door modified for use with a wheelchair ramp system. IMS claimed that exempting wheelchair ramps was necessary to aid in transporting disabled persons. It justified its request on the basis that wheelchair ramps share the same purpose and configuration as wheelchair lifts, which are exempted from the standard. The petitioner stated that, as with lifts, wheelchair ramp platforms are vertically stored within the vehicle's doorway, with the purpose of creating a barrier to prevent occupant ejections.

IMS requested an inclusion of the term "wheelchair ramp" along with "wheelchair lifts" in paragraph S4 of FMVSS 206. IMS asked that paragraph S4 be revised as follows:

S4. (c) Components on any side door leading directly into a compartment that contains one or more seating accommodations shall conform to this standard. However, components on folding doors, roll-up doors, doors that are designed to be easily attached to or removed from motor vehicles manufactured for operation without doors, and any side doors which are equipped with wheelchair lifts or wheelchair ramps and that are linked to an alarm system consisting of either a flashing visible signal located in the driver's compartment or an alarm audible to the driver that is activated when the door is open, need not conform to this standard.

On May 31, 1996, NHTSA issued a **Federal Register** notice granting the IMS petition (61 FR 27325).

Reason for Termination

Subsequent to granting the IMS petition, the agency further investigated the installation and operational characteristics of various wheelchair lift and ramp designs. From this, it was found that: (1) wheelchair ramps do not adequately barricade the vehicle doorway to prevent occupant ejection without functional door latches, and (2) since 1998, wheelchair ramp designs have progressed such that it is no longer necessary to disable door retention components when installing wheelchair ramp and lift systems. Therefore, NHTSA is terminating the rulemaking that arose out of the August 1995, IMS petition.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

Issued on: January 22, 2004.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 04-1645 Filed 1-27-04; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 040113013-4013-01; I.D. 122403A]

RIN 0648-AR84

Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Pelagic Longline Fishing Restrictions, Seasonal Area Closure, Limit on Swordfish Fishing Effort, Gear Restrictions, and Other Sea Turtle Take Mitigation Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, NMFS issues this proposed rule that would establish a number of conservation and management measures for the pelagic fisheries of the western Pacific managed under the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (FMP). This proposed rule is intended to achieve certain objectives of the FMP, particularly achieving optimum yield for FMP-managed species, promoting domestic

harvest and domestic values associated with FMP-managed species, and promoting domestic marketing of FMP-managed species in America Samoa, the Commonwealth of the Mariana Islands, Guam, and Hawaii, while avoiding the likelihood of jeopardizing the continued existence of any species listed as endangered or threatened under the Endangered Species Act (ESA). Species of particular concern include the green, hawksbill, leatherback, loggerhead, and olive ridley sea turtles, all of which have been found to interact with, and be affected by, the pelagic fisheries of the western Pacific region.

This proposed rule would eliminate the prohibition on longline fishing by vessels registered under the FMP for use under Hawaii longline limited access permits ("Hawaii-based longline vessels") and vessels registered for use under longline general permits ("general longline vessels") during April and May in certain waters south of the Hawaiian Islands; eliminate the prohibition on Hawaii-based longline vessels and general longline vessels using longline gear to target swordfish ("shallow-setting") north of the equator; establish an annual limit on the number of shallow-sets that may be conducted north of the equator by the Hawaii-based longline fleet; divide and distribute this effort limit each calendar year in equal portions to interested holders of Hawaii longline limited access permits; require the use of circle hooks sized 18/0 or larger with a 10-degree offset and mackerel-type bait by Hawaii-based longline vessels shallow-setting north of the equator; establish annual limits on the numbers of fishery interactions with leatherback and loggerhead sea turtles; require that the longline-setting procedure be performed during the nighttime when shallow-setting north of 23° N. lat.; require that operators of Hawaii-based longline vessels carry and use NMFS-approved de-hooking devices; eliminate the requirement that operators of general longline vessels annually complete a protected species workshop; eliminate the requirement that general longline vessels and other pelagic fishing vessels using hook-and-line gear employ specified sea turtle handling measures; and eliminate the requirement that certain vessels may be re-registered to Hawaii longline limited access permits only during the month of October.

DATES: Comments must be received in writing by February 27, 2004.

ADDRESSES: Written comments on this proposed rule or its Initial Regulatory Flexibility Analysis (IRFA) should be mailed to Dr. Samuel Pooley, Acting

Regional Administrator, NMFS, Pacific Islands Regional Office (PIRO), 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700; or faxed to 808-973-2941. Written comments will not be accepted if submitted via e-mail or the Internet. Written comments regarding the burden hour estimates or any other aspects of the collection of information requirements contained in this proposed rule may be submitted by mail to NMFS (see **ADDRESSES**) and to OMB by e-mail at David_Rostker@omb.eop.gov or faxed to 202-395-7285. Copies of the Draft Supplemental Environmental Impact Statement (DSEIS), Regulatory Impact Review (RIR), and IRFA prepared for this action, as well as the Final Environmental Impact Statement (FEIS) that was prepared for the fisheries managed under the FMP and issued by NMFS on March 30, 2001, may be obtained from Dr. Samuel Pooley at the address above. Requests for such copies should indicate whether a paper copy or electronic copy on CD is preferred. Copies of the FEIS, DSEIS, IRFA, and RIR are also available on the Internet at the website of PIRO, <http://swr.nmfs.noaa.gov/pir/>. The DSEIS, IRFA, and RIR are also available at the website of the Western Pacific Fishery Management Council, <http://www.wpcouncil.org/>.

FOR FURTHER INFORMATION CONTACT: Tom Graham, Fishery Management Specialist, PIRO, at 808-973-2937.

SUPPLEMENTARY INFORMATION:

Background

On March 29, 2001, NMFS issued a biological opinion under the ESA for the pelagic fisheries of the western Pacific region. The biological opinion included a reasonable and prudent alternative designed to avoid the likelihood of jeopardizing the continued existence of green, leatherback, and loggerhead sea turtles. The requirements of the reasonable and prudent alternative were implemented on an interim basis through an Order issued on March 30, 2001, by the United States District Court for the District of Hawaii in *Center for Marine Conservation v. NMFS* and a subsequent emergency interim rule made effective June 12, 2001 (66 FR 31561), and extended on December 10, 2001 (66 FR 63630). The requirements were implemented on a permanent basis through a final rule published June 12, 2002 (67 FR 40232).

The June 12, 2002, rule prohibits: (1) swordfish-directed fishing by Hawaii-based longline vessels and general longline vessels north of the equator, (2) fishing by Hawaii-based longline vessels and general longline vessels in certain