

**List of Subjects in 33 CFR Part 117**

Bridges.

**Regulations**

For the reasons set out in the preamble, the Coast Guard proposes to 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; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Revise § 117.586 to read as follows:

**§ 117.586 Annisquam River and Blynman Canal.**

The draw of the Blynman (SR127) Bridge shall open on signal, except that, from noon to 6 p.m. on the fourth Thursday in November (Thanksgiving Day), 6 p.m. on December 24 to midnight on December 25, and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal if at least a two-hour advance notice is given by calling the number posted at the bridge.

3. Section 117.595 is amended by revising paragraph (c) to read as follows:

**§ 117.595 Danvers River.**

\* \* \* \* \*

(c) The Kernwood Bridge, at mile 1.0, shall operate as follows:

(1) From May 1 through September 30, midnight to 5 a.m., and from October 1 through April 30, 7 p.m. to 5 a.m., draw shall open on signal after at least a one-hour advance notice is given by calling the number posted at the bridge.

(2) From noon to 6 p.m. on the fourth Thursday in November (Thanksgiving Day) and all day on December 25 and January 1, the draw shall open on signal after at least a one-hour advance notice is given by calling the number posted at the bridge.

4. Section 117.618 is amended by revising paragraph (c) to read as follows:

**§ 117.618 Saugus River.**

\* \* \* \* \*

(c) The Fox Hill (SR107) Bridge, at mile 2.5, shall operate as follows:

(1) The draw shall open on signal, except that, from October 1 through May 31, from 7 p.m. to 5 a.m., the draw shall open after at least a one-hour advance notice is given by calling the number posted at the bridge.

(2) From noon to 6 p.m. on the fourth Thursday in November (Thanksgiving

Day), and all day on December 25, and January 1, the draw shall open on signal after at least a one-hour advance notice is given by calling the number posted at the bridge.

5. Section 117.621 is amended by revising paragraph (c) to read as follows:

**§ 117.621 Fore River.**

\* \* \* \* \*

(c) From noon to 6 p.m. on the fourth Thursday in November (Thanksgiving Day), from 6 p.m. on December 24 to midnight on December 25, and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal after at least a two-hour advance notice is given by calling the number posted at the bridge.

Dated: August 23, 2004.

**David P. Pekoske,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 04–19958 Filed 8–31–04; 8:45 am]

**BILLING CODE 4910–15–P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 51**

[OAR–2003–0079; FRL–7802–1]

**RIN 2060–AJ99**

**Draft Nitrogen Oxides Exemption Guidance for Proposed Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard**

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

**ACTION:** Notice of availability.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has developed draft guidance for Nitrogen Oxides (NO<sub>x</sub>) Exemptions under the 8-hour ozone standard to accompany the proposed rule to implement the 8-hour ozone National Ambient Air Quality Standard (NAAQS), which was published on June 2, 2003 (68 FR 32802). If, after notice and comment, we adopt approaches other than those reflected by the draft guidance, the regulatory text we promulgate at the time of our final action will incorporate the approaches we adopt.

**DATES:** Comments must be received on or before October 1, 2004.

**ADDRESSES:** Comments may be submitted electronically, by mail, by facsimile, or through hand delivery/courier. Follow the detailed instructions as provided in the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Mr. Doug Grano, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Mail Code C539–02, Research Triangle Park, NC 27711, phone number (919) 541–3292 or by e-mail at: [grano.doug@epa.gov](mailto:grano.doug@epa.gov) or Ms. Denise Gerth, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Mail Code C539–02, Research Triangle Park, NC 27711, phone number (919) 541–5550 or by e-mail at [gerth.denise@epa.gov](mailto:gerth.denise@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. General Information**

The draft guidance for NO<sub>x</sub> Exemptions under the 8-hour ozone standard is intended to accompany the June 2, 2003 proposed rule to implement the 8-hour ozone NAAQS. The draft guidance describes, in detail, how to implement the NO<sub>x</sub> exemption provisions contained in section 182(f) of the Clean Air Act and EPA's rationale. The June 2, 2003 proposed rule contains the background discussion for the section 182(f) provisions.

**A. How Can I Get Copies of This Document and Other Related Information?**

The EPA has established an official public docket for this action under Docket ID No. OAR 2003–0079. Documents in the official public docket are listed in the index list in EPA's electronic public docket and comment system, EDOCKET. Documents may be available either electronically or in hard copy. Electronic documents may be viewed through EDOCKET. Hard copy documents may be viewed at 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 OAR 2003–0079 Docket is (202) 566–1742.

An electronic version of the public docket is available through EDOCKET. You may use EDOCKET at <http://www.epa.gov/edocket/> to submit or view public comments, 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 EDOCKET. Information claimed as confidential business

information (CBI) and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Publicly available docket materials that are not available electronically may be viewed at the EPA Docket Center.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the Docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

The draft guidance for NO<sub>x</sub> Exemptions under the 8-hour ozone standard is also available for public inspection at EPA's Web site at <http://www.epa.gov/ttn/naags/ozone/o3imp8hr>. In addition, copies can be obtained from the Ozone Policy and Strategies Group, Office of Air Quality Planning and Standards (C539-02), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711.

#### *B. How and to Whom Do I Submit Comments?*

You may submit comments electronically, by mail, by facsimile, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket identification number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the

comment period will be marked "late." EPA is not required to consider these late comments.

**Electronically:** If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

**EPA Dockets:** Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket>, and follow the outline instructions for submitting comments. Once in the system, select search, and then key in Docket ID No. OAR 2003-0079. The system is an anonymous access system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

**E-mail:** Comments may be sent by electronic mail (e-mail) to [grano.doug@epa.gov](mailto:grano.doug@epa.gov), Attention Docket ID No. OAR 2003-0079. In contrast to EPA's electronic public docket, EPA's e-mail system is not an anonymous access system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

**Disk or CD ROM:** You may submit comments on a disk or CD ROM that you mail to the mailing address identified. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of

special characters and any form of encryption.

**By Mail:** Send your comment to: Nitrogen Oxides Exemption Guidance for Proposed Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard, Environmental Protection Agency, Mail code: 6102T, 1200 Pennsylvania Ave., NW., Washington, DC, 20460, Attention Docket ID No. OAR 2003-0079.

**By Hand Delivery or Courier:** Deliver your comments to: (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, Attention Docket ID No. OAR-2003-0079. Such deliveries are only accepted during the Docket's normal hours of operations.

**By Facsimile:** Fax your comments to: (202) 566-1741, Attention Docket ID. NO. OAR-2003-0079.

#### *C. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. Send or deliver information identified as CBI only to the following address: EPA, 109 TW Alexander Dr., RTP, NC 27709, Attn: Roberto Morales, MS C404-02, Attention Docket ID No. OAR 2003-0079. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have an questions about CBI or the procedures for claiming CBI, please consult the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

#### *D. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline identified.
8. To ensure proper receipt by EPA, identify the appropriate docket identification number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

#### List of Subjects in 40 CFR Part 51

Environmental protection, Administrative practice and procedure, Air pollution control, Carbon monoxide, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

**Authority:** 42 U.S.C. 7408, 42 U.S.C. 7410, 42 U.S.C. 7501–7511f; 42 U.S.C. 7601(a)(1).

Dated: August 5, 2004.

**Gregory A. Green,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. 04–19921 Filed 8–31–04; 8:45 am]

**BILLING CODE 6560–50–M**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 63

[OAR–2004–0006, FRL–7808–3]

**RIN 2060–AK32**

#### National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production

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

**ACTION:** Proposed rule; amendments.

**SUMMARY:** On April 12, 2001 (66 FR 19006), the EPA issued national emission standards for hazardous air pollutants (NESHAP) for solvent extraction for vegetable oil production under section 112(d) of the Clean Air Act (CAA). This action would amend the compliance requirements for vegetable oil production processes that exclusively use a qualifying low-HAP

extraction solvent. The amendments are being made to require only the necessary recordkeeping and reporting requirements for facilities using the low-HAP extraction solvent compliance option.

In the Rules and Regulations section of this **Federal Register**, we are taking direct final action on the proposed amendments because we view the amendments as noncontroversial and anticipate no adverse comments. We have explained our reasons for the amendments in the direct final rule. If we receive no significant adverse comments, we will take no further action on the proposed amendments. If we receive significant adverse comments, we will withdraw only those provisions on which we received significant adverse comments. We will publish a timely withdrawal in the **Federal Register** indicating which provisions will become effective and which provisions are being withdrawn. If part or all of the direct final rule in the Rules and Regulations section of today's **Federal Register** is withdrawn, all comments pertaining to those provisions will be addressed in a subsequent final rule based on the proposed amendments. We will not institute a second comment period on the subsequent final action. Any parties interested in commenting must do so at this time.

**DATES:** Written comments must be received on or before October 1, 2004, unless a hearing is requested by September 13, 2004. If a timely hearing request is submitted, we must receive written comments on or before October 18, 2004.

**ADDRESSES:** *Comments.* Submit your comments, identified by Docket ID No. OAR–2004–0006, 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://www.epa.gov/edocket>. EDOCKET, EPA's electronic public docket and comment systems, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.
- E-mail: [A-and-R-Docket@epamail.epa.gov](mailto:A-and-R-Docket@epamail.epa.gov)
- Fax: 202–566–1741
- Mail: (in duplicate, if possible) to Air and Radiation Docket, Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.
- Hand Delivery: (in duplicate, if possible) to: Air and Radiation Docket, Attention Docket ID Number OAR–2004–0006, U.S. EPA, 1301 Constitution

Avenue, NW., Room B–108, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

We request that a separate copy also be sent to the contact person listed below (see **FOR FURTHER INFORMATION CONTACT**).

**Instructions:** Direct your comments to Docket ID No. OAR–2004–0006. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.epa.gov/edocket>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through EDOCKET, regulations.gov, or e-mail. The EPA EDOCKET and the federal regulations.gov websites are “anonymous access” systems, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through EDOCKET or regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit EDOCKET on-line or see the **Federal Register** of May 31, 2002 (67 FR 38102). For additional instructions on submitting comments, go to the **SUPPLEMENTARY INFORMATION** section of this document.

**Docket:** All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy