

for Management (Chief Financial Officer) may redelegate such authority as he/she deems appropriate to administration heads and staff office directors.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 70

[CA 110-OPPb; FRL-7602-8]

#### Revisions to the Operating Permits Program, San Diego County Air Pollution Control District

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the San Diego County Air Pollution Control District's Part 70 Operating Permits (Title V) Program. The proposed revisions address a change in the major source threshold for volatile organic compounds (VOCs) and oxides of nitrogen (NO<sub>x</sub>). This change is based on the redesignation of San Diego County as in attainment of the federal one-hour ozone standard (see 68 FR 37976, June 26, 2003). As a result of this action, some sources that would have previously been considered major sources, and therefore would have been required to obtain a Title V operating permit, would no longer need to apply for a Title V permit. We are also approving revisions to several other parts of San Diego's Title V program. For more information see "What is being addressed in this document," below.

**DATES:** Any comments on this proposal must arrive by January 28, 2004.

**ADDRESSES:** Send comments to Gerardo Rios, Permits Office Chief (AIR-3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901 or e-mail to [rios.gerardo@epa.gov](mailto:rios.gerardo@epa.gov), or submit comments at <http://www.regulations.gov>.

You can inspect copies of the submitted rule revisions, EPA's technical support document (TSD), and public comments at our Region IX office during normal business hours by appointment.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Stewart, EPA Region IX, (415) 947-4119, [stewart.kathleen@epa.gov](mailto:stewart.kathleen@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the following Rules:

1401(c); 1410(i), (j), (l), and (q); 1418(b), (c), and (e); 1415 (a); 1421(a) and (b); and 1425(a) and (b). In the Rules and Regulations section of this **Federal Register**, we are approving these rules in a direct final action without prior proposal because we believe these revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in a subsequent action based on this proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: December 15, 2003.

**Keith Takata,**

*Acting Regional Administrator, Region IX.*

Part 70, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

#### PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

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

#### Subpart F—California

2. Appendix A to Part 70 is amended by adding under "California" paragraph (x) to read as follows:

#### Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

\* \* \* \* \*

California

\* \* \* \* \*

(x) \* \* \*

(5) Revisions were submitted on August 19, 2003, effective February 27, 2004.

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[FR Doc. 03-31871 Filed 12-24-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 260 and 261

[RCRA-2002-0031; FRL-7602-9]

RIN 2050-AE98

#### Proposed Revisions to the Definition of Solid Waste—Extension of Comment Period

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is extending the comment period for the proposed rule entitled "Revisions to the Definition of Solid Waste," which appeared in the **Federal Register** on October 28, 2003 (68 FR 61558). The public comment period for this proposed rule was to end on January 26, 2004. The purpose of this notice is to extend the comment period to end on February 25, 2004.

**DATES:** EPA will accept public comments on this proposed regulation until February 25, 2004. Comments submitted after this date will be marked "late" and may not be considered.

**ADDRESSES:** Comments may be submitted by mail to: OSWER Docket, Environmental Protection Agency, Mailcode: 5305T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, Attention Docket ID No. RCRA-2002-0031. Comments may also be submitted electronically, or through hand delivery/courier; follow the detailed instructions as provided below in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** For general information on the proposed regulation, contact the RCRA Call Center at 800-424-9346 or TDD 800-553-7672 (hearing impaired). In the Washington, DC, metropolitan area, call (703) 412-9810 or TDD (703) 412-3323. For more detailed information on specific aspects of this rulemaking, contact Dave Fagan at (703) 308-0603 ([fagan.david@epa.gov](mailto:fagan.david@epa.gov)), or Ingrid Rosencrantz at (703) 605-0709 ([rosencrantz.ingrid@epa.gov](mailto:rosencrantz.ingrid@epa.gov)).

**SUPPLEMENTARY INFORMATION:** The proposed rule that is the subject of this notice, and which was published in the **FEDERAL REGISTER** on October 28, 2003, would revise the definition of solid waste under the Resource Conservation and Recovery Act (RCRA), by identifying certain recyclable hazardous secondary materials as not "discarded,"

and thus not subject to regulation as wastes under Subtitle C of RCRA. The proposed rule would also establish specific regulatory criteria for determining whether or not hazardous secondary materials are recycled legitimately.

The comment period for the proposed rule was scheduled to end on January 26, 2004. However, a public commenter (the National Paint and Coatings Association) has requested that EPA extend the comment period by 30 days, noting that it (and other organizations) is working to respond to several other important EPA rulemaking proposals whose comment periods overlap with that of this proposal. This commenter also noted that the comment period for this proposed rule extends over the holiday season, which additionally impacts their ability to fully review the proposal and formulate a comprehensive set of comments.

EPA believes this request is reasonable. EPA also notes that this rule is not subject to any statutory or judicial deadlines. We are therefore extending the comment period for this proposal until February 25, 2004.

#### How and to Whom Do I Submit Comments?

You may submit comments electronically, by mail, 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.

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 online instructions for submitting comments. To access EPA's electronic public docket from the EPA Internet Home Page, select "Information Sources," "Dockets," and "EPA Dockets." Once in the system, select "search," and then key in Docket ID No. RCRA-2002-0031. 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.

Comments may be sent by electronic mail (e-mail) to [rcra-docket@epamail.epa.gov](mailto:rcra-docket@epamail.epa.gov), Attention Docket ID No. RCRA-2002-0031. 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.

You may submit comments on a disk or CD-ROM that you mail to the mailing address identified in the following paragraph. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

*By Hand Delivery or Courier.* Deliver your comments to: OSWER Docket, EPA West Building, Room B102, 1301 Constitution Avenue, NW., Washington, DC., Attention Docket ID No. RCRA-2002-0031. Such deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays).

Dated: December 16, 2003.

**Matt Hale,**

*Acting Director, Office of Solid Waste.*

[FR Doc. 03-31868 Filed 12-24-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 533

[Docket No. 2003-16128]

RIN 2127-AJ17

#### Reforming the Automobile Fuel Economy Standards Program

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

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** This document seeks comment on various issues relating to the corporate average fuel economy (CAFE) program. In particular, this document seeks comments relating to possible enhancements to the program that will assist in furthering fuel conservation while protecting motor vehicle safety and the economic vitality of the auto industry. The agency is particularly interested in improvements to the structure of the CAFE program authorized under current statutory authority. The focus of this document is to solicit comment on the structure of the CAFE program, not the stringency level for a future CAFE standard.

**DATES:** Comments must be received on or before April 27, 2004.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number 2003-16128] by any of the following methods:

- *Web Site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 am and 5 pm, Monday through Friday, except Federal Holidays.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the