List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Acid gases, Carbon monoxide, Commercial and industrial solid waste, Intergovernmental relations, Organics, Particulate matter, Reporting and recordkeeping requirements.

Dated: February 27, 2004.

Kathleen C. Callahan,

Acting Regional Administrator, Region 2.

■ Part 62, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 62—[AMENDED]

■ 1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart BBB—Puerto Rico

■ 2. Subpart BBB is amended by adding a new undesignated center heading and § 62.13108 to read as follows:

Control of Air Emissions of Designated Pollutants From Existing Commercial and Industrial Solid Waste Incineration Units

§ 62.13108 Identification of plan.

(a) The Puerto Rico Environmental Quality Board submitted to the Environmental Protection Agency on May 20, 2003, a ''State Plan'' for implementation and enforcement of 40 CFR part 60, subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units. The State Plan includes revisions to Rule 102 and Rule 405 of the Puerto Rico Regulations for the Control of Atmospheric Pollution, entitled, ''Definitions'' and ''Incineration'', respectively. Revised Rules 102 and 405 were adopted on June 4, 2003 and effective on July 4, 2003.

(b) Identification of sources: The plan applies to all applicable existing Commercial and Industrial Solid Waste Incineration Units for which construction commenced on or before November 30, 1999.

[FR Doc. 04–5367 Filed 3–10–04; 8:45 am]

BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 102–39

[FMR Amendment 2004–1; FMR Case 2003–102–2]

RIN 3090–AH92

Federal Management Regulation; Replacement of Personal Property Pursuant to the Exchange/Sale Authority

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: The General Services Administration (GSA) revised the Federal Property Management Regulations (FPMR) by moving coverage related to the sale of personal property to the Federal Management Regulation (FMR). Because of the transfer of this coverage as well as the codification of Title 40 of the United States Code into positive law, several cross-references are no longer valid in existing FMR parts. This final rule amends the FMR by updating certain cross-references in 41 CFR part 102–39 and providing the new statutory citations to Title 40 of the United States Code.

DATES: Effective Date: March 11, 2004.

FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 208–7312, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Rick Bender, Office of Governmentwide Policy, Personal Property Management Policy, at (202) 501–3448. Please cite FMR case 2003–102–2, Amendment 2004–1.

SUPPLEMENTARY INFORMATION:

A. Background

GSA is in the process of revising the FPMR and transferring most of the content into a new, streamlined FMR. Several sections in FMR part 102–39 (41 CFR part 102–39) contain references to FPMR sections that no longer exist. This final rule amends the FMR by providing references to existing FMR sections concerning the sale of personal property.

B. Executive Order 12866

GSA has determined that this final rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

C. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for comment. Therefore, the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FMR do not impose information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

E. Small Business Regulatory Enforcement Fairness Act

This final rule is exempt from Congressional review under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 102–39

Government property management.

Dated: January 23, 2004.

Stephen A. Perry,

Administrator of General Services.

■ For the reasons set forth in the preamble, GSA amends 41 CFR part 102–39 as set forth below:

PART 102–39—REPLACEMENT OF PERSONAL PROPERTY PURSUANT TO THE EXCHANGE/SALE AUTHORITY

■ 1. The authority citation for 41 CFR part 102–39 continues to read as follows:

Authority: 40 U.S.C. 503 and 121(c).

§ 102–39.10 [Amended]

■ 2. Amend § 102–39.10 by removing ''101–37'' from the last sentence and adding ''102–33'' in its place.

■ 3. Amend § 102–39.30 by revising the second sentence to read as follows:

§ 102–39.30 When should I not use the exchange/sale authority?

* * * You must either abandon or destroy such property, or declare the property excess, in accordance with part 102–36 of this chapter. * * *

§ 102–39.40 [Amended]

■ 4. Amend § 102–39.40 in the second sentence of paragraph (b) by removing ''§ 101–45.304–12'' and adding ''§ 102–38.125'' in its place.

§ 102–39.45 [Amended]

■ 5. Amend § 102–39.45 in paragraph (i) by removing ''§ 101-37.610'' and adding ''§ 102–33.370'' in its place.

■ 6. Amend § 102–39.65 in the introductory text of paragraph (a) by revising the first sentence; and in paragraph (b) by removing ''§ 101–45.304–2(b)'' and adding §§ 102–38.120 and 102–38.125'' in its place. The revised text reads as follows:

§ 102–39.65 What are the sales methods?

(a) You must use the methods, terms, and conditions of sale, and the forms prescribed in part 102–38 of this title, in the sale of property being replaced, except for the provisions of §§ 102–38.100 through 102–38.115 of this title regarding negotiated sales. * * *

* * * * *

[FR Doc. 04–5409 Filed 3–10–04; 8:45 am]

BILLING CODE 6820–14–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 87–97; RM–5598]

Radio Broadcasting Services; Laughlin, NV

AGENCY: Federal Communications Commission.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to Section 73.202(b), FM Table of Allotments, under Nevada for the community of Laughlin.

DATES: Effective March 11, 2004.

FOR FURTHER INFORMATION CONTACT: Victoria McCauley, Media Bureau (202) 418–2180.

SUPPLEMENTARY INFORMATION: In 1987, the Commission allotted Channel 300C1 to Laughlin, Nevada. *See* 52 FR 38766 (October 19, 1987). The channel is not currently listed in the FM Table of Allotments, Section 73.202(b) under Nevada for the community of Laughlin. Station KVGS(FM) obtained a license for this channel on May 13, 1992. *See* BLH–19910903KD. Station KVGS(FM) currently operates on Channel 300C at Laughlin, Nevada because the station was granted a license to specify operation on Channel 300C in lieu of Channel 300C1 at Laughlin, Nevada on June 20, 2001. *See* BLH–20010327ABN.

Need for Correction

The Code of Federal Regulations must be corrected to include Channel 300C at Laughlin, Nevada.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ Accordingly, 47 CFR part 73 is corrected by making the following correcting amendment:

PART 73—RADIO BROADCAST SERVICES

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

Authority: 47 U.S.C. 154, 303, 334, and 336.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Channel 300C at Laughlin.

Dated: February 12, 2004.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04–5416 Filed 3–10–04; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 223

[Docket No. 031202301–4067–02; I.D.111403C]

RIN 0648–AR53

Taking of Threatened or Endangered Species Incidental to Commercial Fishing Operations

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

ACTION: Final rule.

SUMMARY: NMFS is issuing a final rule to prohibit shallow longline sets of the type normally targeting swordfish on the high seas in the Pacific Ocean east of 150° W. long. by vessels managed under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (FMP). This action is intended to protect endangered and threatened sea turtles from the adverse impacts of shallow longline fishing by U.S. longline fishing vessels in the Pacific Ocean and operating out of the west coast. This rule supplements the regulations that implement the FMP that prohibit shallow longline sets on the high seas in the Pacific Ocean west of 150° W. long. by vessels managed under that FMP. The FMP was partially approved by NMFS on February 4, 2004. Together, these two regulations are expected to conserve leatherback and loggerhead sea turtles as required under the Endangered Species Act (ESA).

DATES: This final rule is effective April 12, 2004.

ADDRESSES: Copies of the FMP, which includes an environmental impact statement (EIS) accompanied by a regulatory impact review (RIR) and an initial regulatory flexibility analysis (IRFA) are available on the internet at *http://www.pcouncil.org/hms/hmsfmp.html* or may be obtained from Daniel Waldeck, Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, Oregon, 97220–1384, Daniel.Waldeck@noaa.gov, (503) 820–2280. This final rule corresponds to the High Seas Pelagic Longline Alternative 3 in the Council EIS, RIR, and IRFA. The final regulatory flexibility analysis (FRFA)is available on the internet at *http://swr.ucsd.edu/* or may be obtained from Tim Price, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, California, 90802–4213, *Tim.Price@noaa.gov*, (562) 980–4029.

FOR FURTHER INFORMATION CONTACT: Tim Price, NMFS, Southwest Region, Protected Resources Division, 562–980–4029.

SUPPLEMENTARY INFORMATION: Additional information about the status of sea turtles and the West Coast-based pelagic longline fishery can be found in the proposed rule published on December 17, 2003 (68 FR 70219). All species of sea turtles that are known to interact with U.S. longline vessels in the Pacific Ocean are listed as either endangered or threatened under the ESA. The incidental take of endangered species may be authorized only by an incidental take statement issued under section 7 of the ESA or an incidental take permit issued under section 10 of the ESA. The incidental take of threatened species may be authorized only by an incidental take statement in a biological opinion issued pursuant to section 7 of the ESA, an incidental take permit issued pursuant to section 10 of the ESA, or regulations under section 4(d) of the ESA.

A number of longline vessels targeting swordfish unload their catch and re-provision in California ports. Participants in the West Coast-based pelagic longline fishery often fish more than 1,000 nautical miles (1,900 km) offshore and are generally prohibited by state regulations from fishing within 200 nautical miles (370 km) of the West Coast. From October 2001 through January 31, 2004, 409 sets were observed on 20 trips, documenting a total of 46 sea turtle interactions, consisting of 3 leatherback sea turtles, 42 loggerhead sea turtles, and 1 olive ridley sea turtle. All of the observed sea turtles were released alive except two recent loggerhead sea turtles which were dead.

On October 31, 2003, the Pacific Fishery Management Council (Council) submitted the FMP to NMFS for review. The FMP includes management measures for the West Coast-based pelagic longline fishery that prohibits shallow longline sets of the type