

the shoreline of the Oakland International Airport and encompasses all waters in San Francisco Bay within a line connecting the following geographical positions—

Latitude	Longitude
37°43'35" N	122°15'00" W
37°43'40" N	122°15'05" W
37°43'34" N	122°15'12" W
37°43'24" N	122°15'11" W
37°41'54" N	122°13'05" W
37°41'51" N	122°12'48" W
37°41'53" N	122°12'44" W
37°41'35" N	122°12'18" W
37°41'46" N	122°12'08" W
37°42'03" N	122°12'34" W
37°42'08" N	122°12'32" W
37°42'35" N	122°12'30" W
37°42'40" N	122°12'06" W

and along the shoreline back to the beginning point.

(b) *Regulations.* (1) Under § 165.33, entering, transiting through, or anchoring in this zone is prohibited unless authorized by the Coast Guard Captain of the Port, San Francisco Bay, or his designated representative.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number 415-399-3547 or on VHF-FM channel 16 (156.8 MHz) to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his or her designated representative.

(c) *Enforcement.* All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. Patrol personnel comprise commissioned, warrant, and petty officers of the Coast Guard onboard Coast Guard, Coast Guard Auxiliary, local, State, and Federal law enforcement vessels. Upon being hailed by U.S. Coast Guard patrol personnel by siren, radio, flashing light, or other means, the operator of a vessel must proceed as directed.

Dated: January 5, 2004.

**Gerald M. Swanson,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco Bay, California.*

[FR Doc. 04-914 Filed 1-14-04; 8:45 am]

**BILLING CODE 4910-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 289-0417b; FRL-7600-8]

#### Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) portion of the California State Implementation Plan (SIP). The revision concerns the emission of volatile organic compounds (VOC) from the transfer of gasoline at dispensing stations. We are approving a local rule that regulates this emission source under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** Any comments on this proposal must arrive by February 17, 2004.

**ADDRESSES:** Send comments to Andy Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, or e-mail to [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov), or submit comments at <http://www.regulations.gov>.

You can inspect a copy of the submitted rule revisions and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see a copy of the submitted rule revisions and TSD at the following locations:

Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, (Mail Code 6102T), Room B-102, 1301 Constitution Avenue, NW., Washington, DC 20460.  
California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814.  
Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Court, Monterey, CA 93940.

A copy of the rule may also be available via the Internet at <http://www.arb.ca.gov/drdb/drdbtxt.htm>. Please be advised that this is not an EPA website and may not contain the same version of the rule that was submitted to EPA.

**FOR FURTHER INFORMATION CONTACT:** Al Petersen, Rulemaking Office (AIR-4), U.S. Environmental Protection Agency, Region IX, (415) 947-4118, [petersen.alfred@epa.gov](mailto:petersen.alfred@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the approval of local MBUAPCD Rule 1002. In the Rules section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe this SIP revision is not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. 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 2, 2003.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

[FR Doc. 04-837 Filed 1-14-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[Region 2 Docket No. NY66-271b; FRL-7610-6]

#### Approval and Promulgation of State Plans for Designated Facilities; New York

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a revision to the State Plan submitted by New York implementing the Municipal Solid Waste (MSW) Landfill Emission Guidelines, as promulgated by EPA. The State Plan establishes performance standards for existing MSW landfills located in New York State and provides for the implementation and enforcement of those standards, which will reduce the designated pollutants. The State Plan revision consists of moving the federally approved MSW requirements from Subpart 360-2.21 of title 6 of the New York Codes, Rules and Regulations (NYCRR) to part 208 of title 6 NYCRR. In the "Rules and Regulations" section of this **Federal Register**, EPA is approving New York's State Plan revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further

action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before February 17, 2004.

**ADDRESSES:** Comments may be submitted either by mail or electronically. Written comments should be mailed to Raymond Werner, Chief, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007-1866. Electronic comments could be sent either to [Werner.Raymond@epa.gov](mailto:Werner.Raymond@epa.gov) or to <http://www.regulations.gov>, which is an alternative method for submitting electronic comments to EPA. Go directly to <http://www.regulations.gov>, then select "Environmental Protection Agency" at the top of the page and use the "go" button. Please follow the on-line instructions for submitting comments.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,  
Region 2 Office, Air Programs Branch,  
290 Broadway, 25th Floor, New York,  
New York 10007-1866.

New York State Department of  
Environmental Conservation, Division  
of Air Resources, 625 Broadway,  
Albany, New York 12233.

Environmental Protection Agency, Air  
and Radiation Docket and Information  
Center, Air Docket (6102), 401 M  
Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Kirk J. Wieber, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007-1866, (212) 637-3381 or [Wieber.Kirk@epa.gov](mailto:Wieber.Kirk@epa.gov).

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: December 29, 2003.

**Jane M. Kenny,**

*Regional Administrator, Region 2.*

[FR Doc. 04-890 Filed 1-14-04; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[ID. 010504A]

#### Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit

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

**ACTION:** Notice of receipt of four exempted fishing permit applications, announcement of the intent to issue EFPs, request for comments.

**SUMMARY:** NMFS announces the receipt of four exempted fishing permit (EFP) applications from the Washington State Department of Fish and Wildlife (WDFW) and the intent to issue the requested EFPs. If awarded, these EFPs will allow vessels with valid Washington State delivery permits to harvest and retain federally managed groundfish in Rockfish Conservation Areas (RCAs). (RCAs are large-scale depth-related closed areas where overfished rockfish species are commonly found) and to retain federally managed groundfish species in excess of cumulative trip limits. These activities are otherwise prohibited.

Vessels fishing under each of the EFPs will be required to carry either a State-sponsored sampler or a Federal groundfish observer while conducting EFP fishing. Samplers/observers will collect catch and effort data and retain specimens that are otherwise not available shoreside. These EFP proposals are intended to promote the objectives of the Pacific Coast Groundfish Fishery Management Plan by providing much needed data on total catch, incidental catch rates by fishing strategy, and the effectiveness of different gear configuration. The information gathered through these EFPs may lead to future rulemakings.

**DATES:** Comments must be received by January 30, 2004.

**ADDRESSES:** Comments should be submitted to and copies of the EFP application are available from Becky Renko, Northwest Region, NMFS, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115-0070.

**FOR FURTHER INFORMATION CONTACT:** Becky Renko (206)526-6110.

**SUPPLEMENTARY INFORMATION:** This action is authorized by the FMP and

implementing regulations at 50 CFR 600.745 and 50 CFR 660.350.

On November 20, 2003, NMFS received four completed EFP applications from WDFW. The individual EFP applications are summarized below. The applicants presented these EFP applications at the Pacific Fishery Management Council's (Council) meeting in November 2003. The Council considered the applications and recommended that NMFS issue the EFPs for the proposed activity. Copies of the applications are available for review from NMFS (see **ADDRESSES**).

No optimum yield (OY) is expected to be exceeded as a result of the EFP fishing. All groundfish landed under EFPs are counted against the OY for those species and will not result in total harvest above the established levels announced in the Pacific Coast Groundfish Fishery Annual Specifications and Management Measures for 2004. For overfished species, specific OY allowances or OY set-a-sides were specified for EFP fishing in 2004. Therefore, each EFP will have overall harvest limits for the overfished species. If a harvest limit is reached for any of the overfished species, the EFP will be terminated. Each EFP will also contain individual vessel limits for specified overfished rockfish stocks. If a vessel achieves any of these individual vessel limits, restrictions specified in the EFP will be imposed.

Each EFP requires the participating vessels to carry a State-sponsored sampler or Federal groundfish observer. Observers will collect data that can be used to estimate incidental catch rates, total catch by species or species groups, and to assess the effectiveness of selective gear configurations. To the extent possible, data provided by the observers will be compatible with that collected by the NMFS coastwide observer program.

Data collected during these EFPs are expected to have a broad significance to the management of the groundfish fishery by providing much needed information on: (1) total catch by vessels directly harvesting different target species, (2) catch rates of overfished species by fishing location, (3) gear selectivity, (4) age structure, and (5) the feasibility of a full retention program for rockfish species.

#### Spiny Dogfish (*Squalus acanthias*)

Spiny dogfish is an abundant and important species in the groundfish fishery off Washington State. Fixed gear is used to directly harvest spiny dogfish. Fishing with fixed gear in areas where spiny dogfish have historically been