

clarify the requirements of the regional haze rule's BART provisions. We proposed to add the guidelines and also proposed to add regulatory text requiring that these guidelines be used for addressing BART determinations under the regional haze rule. In addition, we proposed one revision to guidelines issued in 1980 for facilities contributing to "reasonably attributable" visibility impairment.

In the *American Corn Growers* case, the court vacated and remanded the BART provisions of the regional haze rule. To respond to the court's ruling, we have proposed new BART provisions and are repropounding the BART guidelines. The *American Corn Growers* court also remanded to the Agency its decision to extend the deadline for the submittal of regional haze plans. Subsequently, Congress amended the deadlines for regional haze plans (Consolidated Appropriations Act for Fiscal Year 2004, Public Law 108-199, January 23, 2004). We have proposed to amend the rule to conform to the new statutory deadlines.

**DATES:** The public hearings for the BART rule will be held on June 4, 2004, and June 15, 2004. Please refer to **SUPPLEMENTARY INFORMATION** for additional information on the public hearings.

**ADDRESSES:** The June 4, 2004 public hearing will be held at the Holiday Inn Select, Old Town Alexandria, 480 King Street, Alexandria, Virginia 22314, phone 703-549-6080. The June 15, 2004 public hearing will be held at the Adams Mark Hotel, 1550 Court Place, Denver, CO, 80202, phone 303-893-3333.

Written comments on the BART rule may also be submitted to EPA electronically, by mail, by facsimile, or through hand delivery/courier. Please refer to the BART rule for the addresses and detailed instructions.

Documents relevant to this action are available for public inspection at the EPA Docket Center, located at 1301 Constitution Avenue, NW., Room B102, Washington, DC, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying. Documents are also available through EPA's electronic Docket system at <http://www.epa.gov/edocket>.

The EPA Web site for this rulemaking, which will include information about the public hearings, are at <http://www.epa.gov/air/visibility/actions.html>.

**FOR FURTHER INFORMATION CONTACT:** If you would like to speak at the public hearing or have questions concerning the public hearing, please contact Nancy

Perry at the address given below under **SUPPLEMENTARY INFORMATION**. Questions concerning the proposed BART Rule should be addressed to Kathy Kaufman, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division (C504-02), Research Triangle Park, NC 27711, telephone number (919) 541-0102, e-mail [kaufman.kathy@epa.gov](mailto:kaufman.kathy@epa.gov), or Todd Hawes, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division (C504-02), Research Triangle Park, NC 27711, telephone number (919) 541-5591, e-mail at [hawes.todd@epa.gov](mailto:hawes.todd@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Public Hearings**

The public hearings will provide interested parties the opportunity to present data, views, or arguments concerning the proposed rules. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearings. Written comments must be postmarked by the last day of the comment period, as specified in the proposals.

The public hearings will be held on June 4, 2004, and June 15, 2004. The meeting facilities and phone numbers are provided above under **ADDRESSES**.

If you would like to present oral testimony at the hearings on either or both proposals, please notify Nancy Perry, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, C504-02, Research Triangle Park, NC 27711, telephone (919) 541-5628, e-mail [perry.nancy@epa.gov](mailto:perry.nancy@epa.gov).

The public hearings will begin each day at 9 a.m. and continue into the evening until 5 p.m.

Oral testimony will be limited to 5 minutes for each commenter. We will not be providing equipment for commenters to show overhead slides or make computerized slide presentations unless we receive special requests in advance. Commenters should notify Nancy Perry if they will need specific equipment. The EPA encourages commenters to provide written versions of their oral testimonies either electronically on computer disk or CD-ROM or in paper copy. Verbatim transcripts of the hearings and written statements will be included in the rulemaking dockets.

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

The BART rule is available at the EPA Web site identified above, and was published in the **Federal Register** on May 5, 2004 at 69 FR 25184.

The EPA has established the official public docket for the BART rule under Docket ID No. OAR-2002-0076. The EPA has also developed a Web site for the proposal at the addresses given above. Please refer to the proposals for detailed information on accessing information related to the proposal.

Dated: May 13, 2004.

**Gregory A. Green,**

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

[FR Doc. 04-11435 Filed 5-19-04; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

**[IN 140-4b; FRL-7658-8]**

#### **Approval and Promulgation of Implementation Plans; IN**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency is proposing to approve rules submitted by the State of Indiana as revisions to its State Implementation Plan (SIP) for the prevention of significant deterioration (PSD) air quality construction permit program.

In the rules section of this **Federal Register**, EPA is approving the SIP revision as a direct final rule without prior proposal, because EPA views this as a noncontroversial revision amendment and anticipate no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments in response to this proposed rule, EPA will take no further action on this proposed rule. If EPA receives adverse written comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. 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:** Comments must be received on or before June 21, 2004.

Comments may be submitted by mail, electronically, or by hand delivery/

courier. Please follow the detailed instructions for submitting comments described in the **ADDRESSES** section and Part(I)(B) of the **SUPPLEMENTARY INFORMATION** section of the related direct final rule which is published in the Rules section of this **Federal Register**.

**ADDRESSES:** Comments should be sent to: Pamela Blakley, Acting Chief, Air Programs Branch (AR-18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Ethan Chatfield, Environmental Engineer, Air Permits Section, Air Programs Branch (AR-18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-5112, [chatfield.ethan@epa.gov](mailto:chatfield.ethan@epa.gov).

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct Final notice which is located in the Rules section of this **Federal Register**. Copies of the request and the EPA's analysis are available for inspection at the above address. (Please telephone Ethan Chatfield at (312) 886-5112 before visiting the Region 5 Office.)

Dated: April 26, 2004.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 04-11338 Filed 5-19-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 151-0449b; FRL-7660-5]

#### Revisions to the California and Nevada State Implementation Plans, Ventura County Air Pollution Control District and Clark County Department of Air Quality Management

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Ventura County Air Pollution Control District (VCAPCD) portion of the California State Implementation Plan (SIP) and the Clark County Department of Air Quality Management (CCDAQM) portion of the Nevada SIP. These revisions concern ozone and particulate matter ambient air quality standards and the control of sulfur dioxide through the acid deposition program. We are proposing to approve local rules to regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** Any comments on this proposal must arrive by June 21, 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 94105-3901, or e-mail to [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov), or submit comments at <http://www.regulations.gov>.

You can inspect copies of the submitted SIP revisions, EPA's technical support documents (TSDs), and public comments at our Region IX office during normal business hours by appointment. You may also see copies of the submitted SIP revisions by appointment at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814

Ventura County Air Pollution Control District, 669 County Square Drive, Ventura, CA 93003-5417

Nevada Department of Conservation and Natural Resources, Division of Environmental Protection, 333 W. Nye Lane, Room 138, Carson City, NV 89706

Clark County Department of Air Quality Management, 500 S. Grand Central Parkway, Las Vegas, NV 89155-5210

Copies of the VCAPCD and CCDAQM rules may also be available via the Internet at the following sites respectively, <http://www.arb.ca.gov/drdb/drdbtxt.htm> and [http://www.accessclarkcounty.com/air\\_quality/index.htm](http://www.accessclarkcounty.com/air_quality/index.htm). Please be advised that these are not EPA Web sites and may not contain the same versions of the rules that were submitted to EPA.

**FOR FURTHER INFORMATION CONTACT:** Julie A. Rose, EPA Region IX, (415) 947-4126, [rose.julie@epa.gov](mailto:rose.julie@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the following local rules: VCAPCD Rule 35 and CCDAQM Section 11. In the Rules and Regulations section of this **Federal Register**, we are approving these local rules in a direct final action without prior proposal because we believe these SIP 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 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: April 27, 2004.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

[FR Doc. 04-11336 Filed 5-19-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7663-2]

#### National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Odessa Chromium 2, North and South Plumes, Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 6 is issuing a notice of intent to delete the Odessa Chromium 2, North and South Plumes, Superfund Site, OU-1 and OU-2, located in Odessa, Ector County, Texas from the National Priorities List (NPL) and requests public comments on this notice of intent. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is found at appendix B of 40 CFR part 300 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of Texas, through the Texas Commission on Environmental Quality (TCEQ), have determined that all appropriate response actions under CERCLA have been completed, and that continued operation and maintenance and five-year reviews are not necessary. However, this deletion does not preclude future actions under Superfund, nor does it preclude future actions under the Texas Voluntary Cleanup Program.

In the "Rules and Regulations" Section of today's **Federal Register**, we are publishing a direct final notice of deletion of the Odessa Chromium 2, North and South Plumes, Superfund Site without prior notice of intent to delete because we view this as a noncontroversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final notice of deletion. If we receive no adverse comment(s) on the direct final notice of deletion, we will not take further action on this notice of intent to delete. If we receive adverse comment(s), we will