

the Director of the Office of Energy Projects. The cost limits for calendar year 2004, as published in Table I of § 157.208(d) and Table II of § 157.215(a), are hereby issued.

List of Subjects in 18 CFR Part 157

Administrative practice and procedure, Natural Gas, Reporting and recordkeeping requirements.

J. Mark Robinson,

Director, Office of Energy Projects.

■ Accordingly, 18 CFR part 157 is amended as follows:

PART 157—[AMENDED]

■ 1. The authority citation for part 157 continues to read as follows:

Authority: 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7101–7352.

■ 2. Table I in § 157.208(d) is revised to read as follows:

§ 157.208 Construction, acquisition, operation, replacement, and miscellaneous rearrangement of facilities.

* * * * *

(d) * * *

TABLE I

Year	Limit	
	Auto. proj. cost limit (Col.1)	Prior notice proj. cost limit (Col.2)
1982	\$4,200,000	\$12,000,000
1983	4,500,000	12,800,000
1984	4,700,000	13,300,000
1985	4,900,000	13,800,000
1986	5,100,000	14,300,000
1987	5,200,000	14,700,000
1988	5,400,000	15,100,000
1989	5,600,000	15,600,000
1990	5,800,000	16,000,000
1991	6,000,000	16,700,000
1992	6,200,000	17,300,000
1993	6,400,000	17,700,000
1994	6,600,000	18,100,000
1995	6,700,000	18,400,000
1996	6,900,000	18,800,000
1997	7,000,000	19,200,000
1998	7,100,000	19,600,000
1999	7,200,000	19,800,000
2000	7,300,000	20,200,000
2001	7,400,000	20,600,000
2002	7,500,000	21,000,000
2003	7,600,000	21,200,000
2004	7,800,000	21,600,000

* * * * *

■ 3. Table II in § 157.215(a) is revised to read as follows:

157.215 Underground storage testing and development.

(a) * * *

(5) * * *

TABLE II

Year	Limit
1982	2,700,000
1983	2,900,000
1984	3,000,000
1985	3,100,000
1986	3,200,000
1987	3,300,000
1988	3,400,000
1989	3,500,000
1990	3,600,000
1991	3,800,000
1992	3,900,000
1993	4,000,000
1994	4,100,000
1995	4,200,000
1996	4,300,000
1997	4,400,000
1998	4,500,000
1999	4,550,000
2000	4,650,000
2001	4,750,000
2002	4,850,000
2003	4,900,000
2004	5,000,000

* * * * *

[FR Doc. 04–4324 Filed 2–26–04; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 101 and 104

[USCG–2004–17086]

Continuous Synopsis Record (CSR)

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability; Application for Continuous Synopsis Record (CG–6039); and request for public comments.

SUMMARY: The Coast Guard announces the availability of the “Application for Continuous Synopsis Record” (Application for CSR) form CG–6039. Certain vessels are required to carry onboard a Continuous Synopsis Record (CSR) by the International Convention for the Safety of Life at Sea, 1974 (SOLAS) Chapter XI–1. This document details the process of obtaining and amending the CSR. The Coast Guard also solicits public comments on the collection of information associated with the CSR.

DATES: *Comments.* Comments and related material must reach the Docket Management Facility on or before April 27, 2004. Comments sent to the Office of Management and Budget (OMB) on collections of information must reach OMB on or before April 27, 2004.

Availability. The Application for CSR form CG–6039 will be available at the locations listed in the **ADDRESSES** section below beginning February 25, 2004. The Coast Guard will begin issuing the “Continuous Synopsis Record” (CSR) form CG–6038 on March 1, 2004. All applicable U.S. flag vessels shall have a Coast Guard issued CSR onboard and available for inspection no later than July 1, 2004.

ADDRESSES: *Comments.* To make sure that your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) Electronically through the web site for the Docket Management System at <http://dms.dot.gov>.

(2) By mail to the Docket Management Facility, (USCG–2004–17086), U.S. Department of Transportation, room PL–401, 400 Seventh Street SW., Washington, DC 20590–0001.

(3) By fax to the Docket Management Facility at (202) 493–2251.

(4) By delivery to room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366–9329.

The Docket Management Facility maintains the public docket for this notice. Comments and material received from the public will become part of this docket and will be available for inspection or copying at room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

You must also mail comments on collection of information to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

Availability. The Application for CSR form CG–6039, and the “Amendments to the CSR and Index of Amendments to the CSR” (Amendments and Index to CSR) form CG–6038A, may be obtained by any of the following methods:

(1) By downloading it from the Coast Guard Port Security Directorate Web site at <http://www.uscg.mil/hq/g-m/mp/rules.shtml>.

(2) By requesting it, via mail, from the Continuous Synopsis Record Desk (CSR Desk) at P.O. Box 1750, Falling Waters, WV 25419–1750.

(3) By calling the CSR Desk toll free number: 1–866–603–5476.

(4) By requesting it, via e-mail, to csrdesk@nvd.c.uscg.mil.

Completed forms. A completed Application for CSR form CG-6039 or a completed Amendment and Index to CSR form CG-6038A may be submitted via e-mail to csrdesk@nvd.c.uscg.mil or mailed to the CSR Desk, P.O. Box 1750, Falling Waters, WV 25419-1750.

FOR FURTHER INFORMATION CONTACT: If you have any questions regarding this notice or the CSR contact Lieutenant Commander Kirsten R. Martin, telephone (202) 267-0503, e-mail kmartin@comdt.uscg.mil or Chief Warrant Officer Jim Upthegrove, telephone (202) 267-0102, e-mail jupthegrove@comdt.uscg.mil, U.S. Coast Guard Office of Compliance (G-MOC-1). If you have questions on viewing or submitting material to the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, telephone (202) 366-0271.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to submit comments and related material on the collection of information updates included in this notice. If you do so, please include your name and address, identify the docket number for this notice (USCG-2004-17086) and give the reasons for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

Viewing comments and documents. To view comments go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act. Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement

in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

Background

Definitions. For the purposes of this notice and this program:

Administration means the government of the State whose flag the ship is authorized to fly.

Cargo vessel means a vessel propelled by mechanical means, that is not a passenger vessel, and of 500 gross tons and over. This excludes ships of war, troopships, wooden ships of primitive build, pleasure yachts not engaged in trade, and fishing vessels.

Contracting Government means a Nation-State that has become a party to the International Convention for the Safety of Life at Sea, 1974 (SOLAS), including Chapter XI as amended.

Gross Tons means gross tonnage as measured by the Tonnage Convention of 1969.

International voyage means a voyage between a country to which SOLAS applies and a port outside such country. This excludes vessels solely navigating the Great Lakes and the St. Lawrence River as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd meridian.

Passenger vessel means a vessel which carries more than 12 passengers.

About the CSR

SOLAS Chapter XI-1 (adopted by the U.S. as part of the International Ship and Port Facility Security (ISPS) Code) and 33 CFR §§ 101.115(b) and 104.297(a) require that all U.S. flag cargo vessels of 500 gross tons and over on international voyages and all U.S. flag passenger vessels carrying 12 or more passengers on international voyages must be issued and carry onboard a CSR during operations on and after July 1, 2004. Specifically, 33 CFR § 101.115(b) incorporates by reference SOLAS Chapter XI-1, as amended, and 33 CFR § 104.297(a) requires vessels on international voyages to comply with SOLAS Chapter XI-1, if applicable. Regulation 5 of SOLAS Chapter XI-1 prescribes the requirements of the CSR.

The CSR provides an onboard record of the history of the vessel with respect to its flag, owner, operator, charterer, classification society, safety management and security activities.

Key elements of Regulation 5 include the following:

- The CSR must be onboard the vessel and available for inspection at all times.
- Vessel masters, owners or operators are required to submit updated

information to the vessel's flag state to amend the CSR when changes occur. —Flag states are required to forward the administration's records of a vessel's CSR to the new flag state when a vessel changes flag.

In U.S. waters, vessels not in compliance with SOLAS Chapter XI-1, Regulation 5, are subject to operational control and compliance measures, as well as the civil penalties described in 33 CFR §§ 101.400, 101.410, and 101.415. U.S. vessels operating in foreign waters can be detained by a port state for not meeting the SOLAS requirement to carry a valid CSR onboard on or after July 1, 2004, in accordance with the port state control measures allowed by SOLAS.

The Coast Guard will administer the CSR program for the U.S. and will open a new CSR Desk at its National Vessel Documentation Center in Falling Waters, West Virginia, on February 25, 2004. Hours of operation will be Monday through Friday, 7:30 a.m. to 5 p.m. Eastern Time, except for Federal holidays. The toll free phone number for the CSR Desk is 1-866-603-5476. The forms needed to apply for a CSR will be available on February 25, 2004, and may be obtained from the Coast Guard from any of the means identified under **ADDRESSES**. The Coast Guard will be able to issue CSRs on March 1, 2004.

Copies of the Amendments and Index to CSR form CG-6038A, the Application for CSR form CG-6039, can be found as appendices at the end of this document. They may also be found in the docket for this notice (USCG-2004-17086) and at the Coast Guard's Port Security Directorate web site found under **ADDRESSES**.

Detailed guidance on the CSR program will be published in a future policy notice by the Coast Guard and will receive the widest possible distribution to affected parties, including publication in the **Federal Register**.

Who Must Apply for a CSR

All U.S. flag cargo vessels of 500 gross tons and over on international voyages and all U.S. flag passenger vessels carrying 12 or more passengers on international voyages.

How To Apply for a CSR

1. Obtain an Application for CSR form CG-6039. You may obtain an Application for CSR form CG-6039 from the Coast Guard by one of the means specified under **ADDRESSES**.

2. Submit completed application. You may submit a completed application to the CSR Desk by one of the means specified under **ADDRESSES**.

3. Once application data is reviewed and validated, the Coast Guard will mail a valid CSR form CG-6038 accompanied by a blank Amendments and Index to CSR form CG-6038A, to the applicant for placement on his or her vessel. Valid CSR documents will not be sent by email.

How To Amend a CSR

The vessel owner or operator is responsible for maintaining the CSR form CG-6038 onboard their vessel. SOLAS Chapter XI-1, Regulation 5 requires that the vessel owner or operator, without delay, amend the CSR whenever a change occurs to any of the vessel's data elements outlined in paragraphs 3.4 thru 3.12. The Coast Guard considers the vessel master to be the authorized representative of the owner or operator for the purposes of updating and maintaining the CSR. To amend the CSR:

1. Complete the Amendments and Index to CSR form CG-6038A. The Coast Guard will include a blank Amendments and Index to CSR form CG-6038A with a valid CSR. Also, you may obtain the Amendments and Index to CSR form CG-6038A from the Coast Guard by one of the means specified under **ADDRESSES**.

2. Attach original completed Amendments and Index to CSR form CG-6038A to the current CSR being carried onboard the vessel.

3. Send a copy of the Amendments and Index to CSR form CG-6038A, without delay, to the Coast Guard CSR Desk at one of its addresses listed under **ADDRESSES**.

4. Once amendment data is received and validated, the Coast Guard will issue a revised updated CSR form CG-6038 accompanied by a blank Amendments and Index to CSR form CG-6038A. Valid CSR documents will not be sent by email. Do not destroy old CSRs; they must be maintained onboard the vessel.

Maintenance of the CSR

The CSR provides an onboard record of the history of the ship comprised of the chronological file of all copies of the CSR form CG-6038 issued and all completed Amendments and Index to CSR form CG-6038A. Owners and operators are required by SOLAS Chapter XI-1, Regulation 5 to retain this complete historic record onboard the vessel permanently, and to ensure that it is available for inspection at all times.

Collection of Information

This notice contains a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-

3520). As defined in 5 CFR 1320.3(c), "collection of information" comprises reporting, recordkeeping, monitoring, posting, labeling, and other, similar actions. The title and description of the information collections, a description of those who must collect the information, and an estimate of the total annual burden follow. The estimate covers the time for reviewing instructions, searching existing sources of data, gathering and maintaining the data needed, and completing and reviewing the collection.

The notice modifies two existing OMB-approved collections—1625-0002 [formerly 2115-0007] and 1625-0017 [formerly 2115-0056]. Summaries of the revised collections follow.

OMB Control Number: 1625-0002 [formerly 2115-0007].

Title: Application for Vessel Inspection and Waiver.

Summary of the Collection of Information: The collection of information requires the owner, operator, agent, or master of a vessel to apply in writing to the Coast Guard before the commencement of the inspection for certification, when a waiver is desired from the requirements of navigation and vessel inspection, or to request a Continuous Synopsis Record.

Need for Information: As required in SOLAS Chapter XI-1 and 33 CFR §§ 101.115(b) and 104.297(a), U.S. flag vessels subject to SOLAS must carry onboard a Continuous Synopsis Record (CSR). The Application for CSR form CG-6039 is needed for processing and creating a CSR for each vessel.

Proposed Use of Information: The information contained in the Application for CSR form CG-6039 will be used to review and validate the status of the vessel being described in the form.

Description of the Respondents: Vessel owners or operators whose vessels are subject to SOLAS Chapter XI-1; U.S. flag cargo vessels of 500 gross tons and over, and U.S. flag passenger vessels carrying 12 or more passengers on international voyages.

Number of Respondents: We estimate that 603 vessels currently have SOLAS certificates and all need to apply in 2004 for CSRs.

Frequency of Response: Whenever a vessel becomes subject to SOLAS, once to obtain the vessel's first CSR.

Burden of Response: 30 minutes (.5 hours) per application.

Estimate of Total Annual Burden: The burden attributed to completing and submitting form CG-6039 in 2004 is 302 hours. The estimated total annual

burden for OMB 1625-0002 is adjusted to be 1,280 hours.

OMB Control Number: 1625-0017 [formerly 2115-0056].

Title: Various International Agreement Safety Certificates and Documents.

Summary of the Collection of Information: Required by the adoption of the International Convention for the Safety of Life at Sea, 1974. The 13 forms are evidence of compliance with this convention for U.S. vessels on international voyages. Without the proper certificates or documents, a U.S. vessel could be detained in foreign ports.

Need for Information: As required in SOLAS Chapter XI-1 and 33 CFR §§ 101.115(b) and 104.297(a), U.S. flag vessels subject to SOLAS must carry onboard a CSR form CG-6038. SOLAS Chapter XI-1, Regulation 5 requires that the vessel owner or operator, without delay, amend the CSR whenever a change occurs to any of the vessel's data elements outlined in paragraphs 3.4 thru 3.12 and submit an Amendments and Index to CSR form CG-6038A to the Coast Guard.

Proposed Use of Information: The CSR form CG-6038 provides an onboard record of the history of the vessel needed. The information contained in the Amendments and Index to CSR form CG-6038A will be used to update the validity of the vessel being described in the form.

Description of the Respondents: Vessel owners or operators whose vessels are subject to SOLAS Chapter XI-1; U.S. flag cargo vessels of 500 gross tons and over, and U.S. flag passenger vessels carrying 12 or more passengers on international voyages.

Number of Respondents: We estimate that 603 vessels currently have SOLAS certificates and all need to carry onboard a CSR form CG-6038. Assuming that 10 percent of these amend their CSRs, we estimate that 60 vessels will submit the Amendments and Index to CSR form CG-6038A in 2004.

Frequency of Response: Carrying onboard the vessel a CSR form CG-6038 is an annual burden. Submitting the Amendments and Index to CSR form CG-6038A occurs when there are any changes to the vessel's data elements listed in SOLAS Chapter XI-1, Regulation 5, paragraphs 3.4 thru 3.12.

Burden of Response: 5 minutes (.083 hours) per CSR form CG-6038 and 30 minutes (.5 hours) per Amendments and Index to CSR form CG-6038A.

Estimate of Total Annual Burden: The burden attributed to maintaining form CG-6038 in 2004 is 50 hours. The

burden of completing and submitting form CG-6038A in 2004 is 30 hours. The estimated total annual burden for OMB 1625-0017 is adjusted to be 96 hours.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), we submitted a copy of this notice to the Office of Management and Budget (OMB) for its review of the collections of information. Due to the circumstances surrounding this notice, we asked for "emergency processing" of our request. Before the changes these collections of information become effective, we will publish notice in the

Federal Register of OMB's decision to approve, modify, or disapprove the collections.

We ask for public comment on the collections of information to help us determine how useful the information is; whether it can help us perform our functions better; whether it is readily available elsewhere; how accurate our estimate of the burden of collection is; how valid our methods for determining burden are; how we can improve the quality, usefulness, and clarity of the information; and how we can minimize the burden of collection.

If you submit comments on the collection of information, submit them both to OMB and to the Docket Management Facility where indicated under **ADDRESSES**, by the date under **DATES**.

You need not respond to a collection of information unless it displays a currently valid control number from OMB.

Dated: February 18, 2004.

Joseph J. Angelo,

Director of Standards, Marine Safety, Security & Environmental Protection.

BILLING CODE 4910-15-P

Appendix A—Application for Continuous Synopsis Record

DEPARTMENT OF HOMELAND SECURITY U.S. COAST GUARD CG-6039 (REV. 01/04) Page 1 of 2	Application for CONTINUOUS SYNOPSIS RECORD	OMB APPROVED 1625-0002
I. APPLICATION		
1. VESSEL NAME:	2. IMO NUMBER:	
3. OFFICIAL NUMBER:	4. DATE OF ORIGINAL DOCUMENTATION:	
5. FLAG STATE: UNITED STATES	6. HAILING PORT:	
7. NAME AND ADDRESS OF CURRENT MANAGING OWNER:	8. NAME AND ADDRESS OF CURRENT REGISTERED BAREBOAT CHARTERER(S):	
9. NAME AND ADDRESS(ES) OF COMPANY AS DEFINED IN SOLAS REGULATION IX/1	10. CLASSIFICATION SOCIETY(IES):	
	11. ADMINISTRATION/RECOGNIZED ORGANIZATION THAT ISSUED DOCUMENT OF COMPLIANCE:	
12. ADMINISTRATION/RECOGNIZED ORGANIZATION THAT ISSUED ISM CERTIFICATE:	13. ADMINISTRATION/RECOGNIZED ORGANIZATION THAT ISSUED ISS CERTIFICATE:	
II. CONSENT AND CERTIFICATION		
I CERTIFY THAT I AM LEGALLY AUTHORIZED TO EXECUTE THIS APPLICATION IN THE CAPACITY SHOWN AND THAT THE INFORMATION PROVIDED HEREIN IS COMPLETE AND CORRECT:		
SIGNATURE OF AUTHORIZED OFFICER/PERSON		CAPACITY OF AUTHORIZED OFFICER/PERSON
PRINTED NAME OF AUTHORIZED OFFICER/PERSON		AUTHORIZING COMPANY
DATE: _____		PHONE: _____
		E-MAIL: _____

CG-6039 (REV. 01/04), PAGE 2 OF 2

I. APPLICATION continued:

14. REMARKS:

INSTRUCTIONS

- I. APPLICATION - Provide vessel information required for issuing an original Continuous Synopsis Record (CSR). CSR requirements are found in SOLAS 74, Regulation XI-1/5 adopted 12 December 2002. If not applicable, put N/A.
1. Indicate current documented name of the vessel as shown on the Certificate of Documentation.
 2. Indicate the IMO number of the vessel.
 3. Indicate the official number awarded to the vessel as shown on the Certificate of Documentation.
 4. State the original date of documentation of the vessel.
 5. Self-explanatory.
 6. Indicate the vessel's hailing port.
 7. As shown on the Certificate of Documentation.
 8. Indicate the name and address(es) of registered bareboat charter(s).
 9. Indicate the name and address of the company, which has the responsibility of operating the vessel and has agreed to take on the duties and responsibilities imposed by the International Safety Management Code. Include the address(es) from where it carries out the safety-management activities.
 10. Indicate the classification society(ies) with which the vessel is classed.
 11. Indicate the Administration or recognized organization that issued the Document of Compliance.
 12. Indicate the Administration or recognized organization that issued the Safety Management Certificate.
 13. Indicate the Administration or recognized security organization that issued the International Ship Security Certificate.
 14. Use this section if additional space is required to complete the other sections. Identify additional information by section number.
- II. CONSENT AND CERTIFICATION - Self-explanatory.

THIS IS IN RESPONSE TO AMENDMENTS TO SOLAS REQUIREMENTS TO ENHANCE MARITIME SECURITY. THE CONTINUOUS SYNOPSIS RECORD (CSR) SHALL BE ISSUED BY THE U.S. COAST GUARD UNDER THE AUTHORITY OF THE UNITED STATES. THE CSR CERTIFICATE MUST BE KEPT ON BOARD THE VESSEL AND SHALL BE AVAILABLE FOR INSPECTION AT ALL TIMES.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 30 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001, or Office of Management and Budget, Paperwork Reduction Project (1625-0002), Washington, DC 20503.

Appendix B—Amendments to the CSR and Index of Amendments to the CSR

OMB APPROVAL NO. 1625-0017		
<u>Amendments to the Continuous Synopsis Record (CSR) Document</u> <u>Number</u> <u>for the ship with IMO Number:</u>		
Information		
1	This document applies from (date):	
2	Flag State:	
3	Date of registration with the State indicated in 2:	
4	Name of ship and official number:	
5	Port of registration (Hailing Port):	
6	Name of current registered owner(s): Registered address(es):	
7	If applicable, name of current registered bareboat charterer(s): Registered address(es):	
8	Name of Company (International Safety Management): Registered address(es): Address(es) of its safety management activities:	
9	Name of all classification societies with which the ship is classed:	
10	Administration/Government/Recognized Organization which issued Document of Compliance: Body which carried out audit (if different):	
11	Administration/Government/Recognized Organization which issued Safety Management Certificate: Body which carried out audit (if different):	
12	Administration/Government/Recognized Security Organization which issued International Ship Security Certificate: Body which carried out verification (if different):	
13	Date on which ship ceased to be registered with the State indicated in 2:	

U.S. DEPT. OF HOMELAND SECURITY, USCG, CG-6038A (Rev. 01-04) Page 1 of 3

The amendments are shown in the table. Indicate N/C for all items not being changed. Dates should be in the format yyyy/mm/dd. Record the Amendment in the Index, page 3 of 3. Attach the original Amendment and Index to the current CSR. Without delay, forward a copy of the Amendment to the U.S. Coast Guard, CSR Desk.

THIS IS TO CERTIFY that this record is correct in all respects.

Issued by the Company or master:

Date of issue:

Signature of authorized person:

Name of authorized person:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 30 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (1625-0017), Washington DC 20503.

U.S. DEPT. OF HOMELAND SECURITY, USCG, CG-6038A (Rev. 01-04) Page 2 of 3

[illegible]

[FR Doc. 04-4210 Filed 2-26-04; 8:45 am]

BILLING CODE 4910-15-C

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Parts 9 and 94**

[AMS-FRL-7627-4]

RIN 2060-AJ98

**Control of Emissions From New Marine
Diesel Compression-Ignition Engines
at or Above 30 Liters Per Cylinder****AGENCY:** Environmental Protection
Agency (EPA).**ACTION:** Final rule; correction.**SUMMARY:** This correction renumbers a paragraph of 40 CFR 94.12 that was inadvertently misnumbered in the final rule published on February 28, 2003 (68 FR 9746).**DATES:** This final rule is effective on March 29, 2004.**ADDRESSES:** Materials relevant to this rulemaking are in Public Dockets A-2000-01 and A-2001-11 at the following address: EPA Docket Center (EPA/DC), Public Reading Room, Room B102, EPA West Building, 1301 Constitution Avenue, 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, except on government holidays. You can reach the Air Docket by telephone at (202) 566-1742 and by facsimile at (202) 566-1741. You may be charged a reasonable fee for photocopying docket materials, as provided in 40 CFR part 2.**FOR FURTHER INFORMATION CONTACT:** Alan Stout, Assessment and Standards Division, e-mail stout.alan@epa.gov, voice-mail (734) 214-4636.**SUPPLEMENTARY INFORMATION:** Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is good cause for making this rule final without prior proposal and opportunity for comment because we are amending 40 CFR part 94 by simply renumbering paragraph 40 CFR 94.12(f) that was subject to notice and comment and issued as part of the final rule establishing emission standards for Category 3 marine diesel engines (68 FR 9746, February 28, 2003). This paragraph was inadvertently labeled as

40 CFR 94.12(f) when a paragraph 94.12(f) already existed. A subsequent rulemaking renumbered the previously existing paragraph 94.12(f) as 94.12(h). This correction restores the numbering for the paragraph from the Category 3 marine diesel engine rule as 40 CFR 94.12(f). Thus, notice and public procedure are unnecessary. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).

The statutory authority for this action comes from sections 114, 213, and 301(a) of the Clean Air Act as amended (42 U.S.C. 7414, 7547, and 7601(a)). This action is a rulemaking subject to the provisions of Clean Air Act section 307(d). See 42 U.S.C. 7606(d)(1).

Statutory and Executive Order ReviewsUnder Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore neither subject to review by the Office of Management and Budget nor subject to Executive Order 13211, "Actions Concerning Regulations that Significantly Affect Energy, Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). Because the agency has made a "good cause" finding that this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute as described above, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule does not have tribal implications, as specified in Executive Order 13175 (63 FR 67249, November 9, 2000). This rule will not have federalism implications, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.This action does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the September 19, 2003 **Federal Register** notice (68 FR 54956).The Congressional Review Act (5 U.S.C. 801 *et seq.*) generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).**List of Subjects in 40 CFR Part 94**

Environmental protection, Administrative practice and procedure, Air pollution control, Confidential business information, Imports, Penalties, Reporting and recordkeeping requirements, Vessels, Warranties.

Dated: February 20, 2004.

Michael O. Leavitt,
Administrator.

■ For the reasons set out in the preamble, title 40, chapter I of the Code of Federal Regulations is amended as set forth below.

**PART 94—CONTROL OF EMISSIONS
FROM MARINE COMPRESSION-
IGNITION ENGINES**

■ 1. The authority citation for part 94 continues to read as follows:

Authority: 42 U.S.C. 7522, 7523, 7524, 7525, 7541, 7542, 7543, 7545, 7547, 7549, 7550 and 7601(a).**Subpart A—[Amended]**

■ 2. Section 94.12 is amended by adding paragraph (f) to read as follows:

§ 94.12 Interim provisions.

* * * * *

(f) Manufacturers may submit test data collected using the Annex VI test procedures to show compliance with Tier 1 standards for model years before 2007. Note: Starting in 2007, EPA may approve a manufacturer's request to continue using alternate procedures under § 94.102(c), as long as the manufacturer satisfies EPA that the differences in testing will not affect NO_x emission rates.

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