

Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This proposed rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. 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 proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: September 14, 2004.

Jane M. Kenny,

Regional Administrator, Region 2.

[FR Doc. 04-21497 Filed 9-23-04; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 431 and 457

[CMS-6026-CN]

RIN 0938-AM86

Medicaid Program and State Children's Health Insurance Program (SCHIP); Payment Error Rate Measurement; Correction

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects an incorrect date for the close of the public comment period that appeared in the proposed rule that was published in the **Federal Register** on August 27, 2004 entitled "Medicaid Program and State Children's Health Insurance Program (SCHIP) Payment Error Rate Measurement."

DATES: The comment deadline for the proposed rule published on August 27, 2004 at 69 FR 52620 is corrected to October 21, 2004.

FOR FURTHER INFORMATION CONTACT: Christine Saxonis (410) 786-3722. Janet E. Reichert, (410) 786-4580.

SUPPLEMENTARY INFORMATION:

I. Background

On August 27, 2004, we published a proposed rule in the **Federal Register** titled "Medicaid Program and State Children's Health Insurance Program (SCHIP) Payment Error Rate Measurement" (69 FR 52620). That proposed rule would require State agencies to estimate improper payments in the Medicaid program and SCHIP program. The Improper Payments Information Act of 2002 requires Federal agencies to annually review and identify those programs and activities that may be susceptible to significant erroneous payments, estimate the amount of improper payments and report those estimates to the Congress and, if necessary, submit a report on actions the agency is taking to reduce erroneous payments.

The intended effect and expected results of that proposed rule would be for States to produce improper payment estimates for their Medicaid and SCHIP programs and to identify existing and emerging vulnerabilities that can be addressed by the States through actions taken to reduce the rate of improper payments and produce a corresponding increase in program savings at both the State and Federal levels.

In FR Doc. 04-19603 of August 27, 2004 (69 FR 52620), we erroneously incorporated an incorrect date for the close of the public comment period. The correct date for the close of the comment period should be October 27, 2004. We had intended to provide a 60-day public comment period since the regulation is complex. A 30-day comment period may not provide enough time for States to analyze the requirements and determine the impact on staffing, costs, technology, statistical support, and any other needs; develop comments, obtain internal clearances,

and submit the comments for our consideration.

In addition, States have expressed an interest in meeting among themselves and working with their Technical Advisory Groups to develop comments. The 30-day comment period may not accommodate this approach.

Furthermore, the regulation is not detailed in terms of implementation. The Office of Management and Budget asked that we specifically request comments on this issue. A 30-day comment period may not give States time to analyze issues and problems concerning implementation, develop comments, obtain internal clearances, and submit them for our consideration.

The error is corrected in the "Correction of Errors" section below.

II. Correction of Errors

In FR Doc. 04-19603 of August 27, 2004 (69 FR 52620), make the following correction:

On page 52621, in the first column; in the **DATES** section, correct the date "September 27, 2004" to read "October 27, 2004."

(Catalog of Federal Domestic Assistance Program No. 93.767, State Children's Health Program)

Dated: September 15, 2004.

Ann C. Agnew,

Executive Secretary to the Department.

[FR Doc. 04-21198 Filed 9-17-04; 8:45 am]

BILLING CODE 4120-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 04-256; DA 04-2996]

Attribution of Joint Sales Agreements in Local Television Markets; Extension of Comment Period

AGENCY: Federal Communications Commission.

ACTION: Proposed rule, extension of comment period.

SUMMARY: In this document, the Media Bureau extends the period for comment and reply comments in the Attribution of Joint Sales Agreements in Local Television Markets proceeding. The proposed rule seeks comment on whether to attribute certain TV Joint Sales Agreements for purposes of applying the broadcast ownership rules. The deadline to file comments is extended from September 27, 2004, to October 27, 2004, and the deadline to file reply comments is extended from October 12, 2004, to November 30, 2004.

The action is taken to respond to a Request for Extension of Time, and a Statement in Support of Request for Extension of Time, and a Statement in Support of Request for Extension of Time.

DATES: Comments are due on or before October 27, 2004, and reply comments are due on or before November 30, 2004.

ADDRESSES: Federal Communications Commission, Portals II, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Debra Sabourin, Industry Analysis Division, Media Bureau, (202) 418-2330 or Debra.Sabourin@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Order, DA-04-2996, in MB Docket No. 04-256, released on September 16, 2004. The full text of this Order is available for inspection and copying during regular business hours in the FCC Reference Center, 445 Twelfth Street, SW., Room CY-A257, Portals II, Washington, DC 20554, and may also be purchased from the Commission's copy contractor, Best Company and Printing, Inc., Room CY-B402, telephone (800) 378-3160, <http://www.bcpiweb.com>. To request materials in accessible formats for people with disabilities (electronic files, large print, audio format and Braille), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0531 (voice), 418-7365 (TTY).

On August 2, 2004, the Media Bureau ("Bureau") released a Notice of Proposed Rule Making ("NPRM") seeking comment on whether to attribute certain TV Joint Sales Agreements ("JSAs") for purposes of applying the broadcast ownership rules. On August 26, 2004, a summary of the Notice was published in the **Federal Register**, establishing deadlines for the filing of comments and reply comments of September 27, 2004, and October 12, 2004, respectively. (*Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets*, 69 FR 52464, August 26, 2004).

On September 13, 2004, Paxson Communications Corporation ("Paxson") filed a Request for Extension of Time to file comments and reply comments. Paxson asks that the deadline for filing comments be extended to October 27, 2004, and the deadline for filing reply comments be extended to November 30, 2004. It asserts that, as owner and operator of 61 full power television stations and owner of the PaxTV broadcast network, it is party to a large number of JSAs. Paxson notes that the Commission asked parties to JSAs to gather and provide

information concerning the terms and conditions of those JSAs, as well as their public interest benefits. Paxson says it needs more time to prepare its comments and respond to the factual and legal issues raised in this proceeding given the number of other open Commission proceedings on broadcasting in which it is involved. According to Paxson, an extension will enable it to prepare and present a more thorough factual record and analysis of the legal issues in this proceeding. On September 14, 2004, the National Association of Broadcasters ("NAB") filed a "Statement in Support of Request for Extension of Time" in support of Paxson's motion for the same reasons, arguing that an extension will serve the public interest by allowing for a more complete record.

We conclude that Paxson and NAB have stated good cause to justify granting an extension of the deadlines for the filing of comments and reply comments in this proceeding. Granting the extensions will serve the public interest in gathering a full record on the factual and legal issues raised in the Notice, including the information sought on the terms and conditions of existing TV JSAs. The new deadline to file comments will be October 27, 2004, and the new deadline to file reply comments will be November 30, 2004.

Federal Communications Commission.

Thomas L. Horan,

Legal Advisor, Media Bureau.

[FR Doc. 04-21504 Filed 9-23-04; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 171

[Docket No. RSPA-04-19173 (HM-223A)]

RIN 2137-AE04

Applicability of the Hazardous Materials Regulations to "Persons Who Offer" Hazardous Materials for Transportation in Commerce

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: RSPA is proposing to add to the Hazardous Materials Regulations a definition for "person who offers or offeror" in order to codify long-standing interpretations on the applicability of those regulations.

DATES: Submit your comments on or before November 23, 2004.

ADDRESSES: You may submit comments by any of the following methods:

- *U.S. Government Regulations.gov Web Site:* <http://www.regulations.gov>. Use the search tools to find this rulemaking and follow the instructions for submitting comments.

- *DOT Docket Management System Web site:* <http://dms.dot.gov>. Click on "Comment/Submissions" and follow the instructions for submitting comments.

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

- *U.S. Mail or Private Delivery Service:* Docket Management System, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-402, Washington, DC 20590-0001.

- *Hand Delivery:* To the Docket Management System, 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.

Instructions: You must include the agency name and docket number, RSPA-04-19173 (HM-223A) or the Regulatory Identification Number (RIN) for this rulemaking at the beginning of your comment. Note that all comments received will be posted without change to the DOT Docket Management System Web site: <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act section of this document.

FOR FURTHER INFORMATION CONTACT:

Frazer C. Hilder, Office of the Chief Counsel, (202) 366-4400, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

I. Background

The Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) are promulgated under the mandate in section 5103(b) of Federal hazardous materials transportation law (Federal hazmat law; 49 U.S.C. 5101 *et seq.*, as amended by section 1711 of the Homeland Security Act of 2002, Public Law 107-296) that the Secretary of Transportation "prescribe regulations for the safe transportation, including security, of hazardous material in intrastate, interstate, and foreign commerce." Section 5103(b)(1)(B) provides that the HMR "shall govern safety aspects, including security, of the transportation of hazardous material the Secretary considers appropriate." The HMR apply to a person: