

of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, we believe that this rule should be categorically excluded, under figure 2–1, paragraph 34(g), of the Instruction, from further environmental documentation. This proposed rule fits paragraph 34(g) as it increases the size of an existing safety zone. A preliminary “Environmental Analysis Check List” is available in the docket where indicated under **ADDRESSES**. Comments on this section will be considered before we make the final decision on whether the rule should be categorically excluded from further environmental review.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Revise § 165.166(a) to read as follows:

#### **§ 165.166 Safety Zone; Macy’s July 4th Fireworks, East River and Upper New York Bay, NY.**

(a) *Regulated Area.* The following area is a safety zone: All waters of the Upper New York Bay south of a line drawn from Pier A (Fireboat Station Pier), Battery Park City, in approximate position 40°42′15.4″ N 074°01′06.8″ W (NAD 1983) to the easternmost corner of the Ellis Island Security Zone, in approximate position 40°41′57.6″ N 074°02′06.7″ W (NAD 1983); north of a line drawn from Pier 7, Jersey City, NJ, in approximate position 40°41′26.4″ N 074°03′17.3″ W (NAD 1983) to Liberty Island Lighted Gong Buoy 29 (LLNR 34995), in approximate position 40°41′02.2″ N 074°02′24.7″ W (NAD 1983), on to Governor’s Island Extension Light (LLNR 35000), in approximate position 40°41′08.3″ N 074°01′35.4″ W (NAD 1983); all waters of the East River north of a line drawn from Governors Island, in approximate position 40°41′25.3″ N 074°00′42.5″ W (NAD 1983) to the southwest corner of Pier 9A, Brooklyn; south of a line drawn from East 47th Street, Manhattan through the southern point of Roosevelt Island to 46 Road, Brooklyn; and all waters of Newtown Creek west of the Pulaski Bascule Bridge.

\* \* \* \* \*

Dated: March 25, 2005.

**Glenn A. Wiltshire,**

*Captain, U.S. Coast Guard, Captain of the Port, New York.*

[FR Doc. 05–7209 Filed 4–8–05; 8:45 am]

**BILLING CODE 4910–15–P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[R06–OAR–2005–TX–0007; FRL–7896–6]

#### Approval and Promulgation of Air Quality Implementation Plans; Texas; Locally Enforced Idling Prohibition Rule

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve a State Implementation Plan (SIP) revision for the state of Texas. This revision adds new Division 2, Locally Enforced Motor Vehicle Idling Limitations, in Subchapter J, Operational Controls For Motor Vehicles. The rule allows local governments to voluntarily enter into an agreement with the State to enforce vehicle idling restrictions on vehicles over 14,000 pounds within their jurisdiction, with some exceptions.

**DATES:** Written comments must be received on or before May 11, 2005.

**ADDRESSES:** Comments may be mailed to Mr. Thomas Diggs, Chief, Air Planning Section (6PD–L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202–2733. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Sandra Rennie, Air Planning Section (6PD–L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733, telephone (214) 665–7367; fax number 214–665–7263; e-mail address [rennie.sandra@epa.gov](mailto:rennie.sandra@epa.gov). Alternate contact: Bill Deese (214) 665–7253, [deese.william@epa.gov](mailto:deese.william@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving the State’s SIP submittal 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 no adverse comments are received in response to this action rule, no further activity is contemplated. If EPA receives adverse 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. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: March 29, 2005.

**Richard E. Greene,**

*Regional Administrator, Region 6.*

[FR Doc. 05-7049 Filed 4-8-05; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 122

[OW-2002-0068; FRL-7897-2]

RIN 2040-AE71

#### Public Meeting To Discuss Technical Issues Associated With the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Coverage for Small Oil and Gas Construction Activities

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Environmental Protection Agency will hold a public meeting to discuss specific issues associated with the development of regulations for storm water discharges from oil and gas construction activities. The intent of the public meeting is to provide an opportunity for stakeholders to participate in an open discussion of the technical issues associated with controlling storm water discharges from oil and gas construction activities. The meeting is designed to facilitate an exchange of information between interested parties and EPA on critical technical and procedural issues relating to a proposed rulemaking. The Agency expects to consider the information provided in its technical analysis for developing a framework for regulating storm water discharges from oil and gas construction sites. To structure the meeting, EPA will give several presentations, which will then be followed by a question and comment period from the participants.

**DATES:** The public meeting will be held on Tuesday, May 10, 2005. The meeting will begin promptly at 10 a.m. and end at approximately 4 p.m.

**ADDRESSES:** The meeting will be held at the Adolphus Hotel located at 1321 Commerce Street in downtown Dallas, Texas. The hotel is located 18 miles from the Dallas Fort Worth airport and 8 miles from Love Field airport. If you need overnight accommodations, please contact the hotel directly. The Adolphus hotel phone number is 214-651-3631.

#### FOR FURTHER INFORMATION CONTACT:

Ruby Cooper of the Office of Wastewater Management (4203M), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Room 7329F, EPA East, Washington, DC 20460; telephone number: (202) 564-0751; fax number: (202) 564-6431; e-mail address: [cooper.ruby@epa.gov](mailto:cooper.ruby@epa.gov). For any updates on the issues that EPA will discuss at the meeting, refer to EPA's storm water Web site at <http://www.epa.gov/npdes/stormwater>.

**SUPPLEMENTARY INFORMATION:** On March 9, 2005 (70 FR 11560) EPA issued a final rule providing a fifteen month postponement of the NPDES permit requirement for oil and gas construction activity disturbing one to five acres, from March 10, 2005, to June 12, 2006. This postponement allows additional time for EPA to complete its analysis of the issues raised by stakeholders about storm water discharges from construction activities at oil and gas sites and of practices and methods for controlling these storm water discharges to mitigate impacts on water quality. Within approximately five months EPA intends to publish a notice of proposed rulemaking in the **Federal Register** addressing these discharge issues and to invite public comment.

The purpose of this public meeting is to give all interested stakeholders an opportunity to hear some of EPA's preliminary findings and to discuss specific technical and procedural issues associated with controlling stormwater discharges from oil and gas construction sites. In addition, EPA will provide an overview of the regulatory process and the schedule for the proposed rulemaking.

To register for the meeting, please contact Ms. Jamie Mallen of Tetra Tech via FAX at (703) 385-6007 or via e-mail at [Jamie.Mallen@tetratech-ffx.com](mailto:Jamie.Mallen@tetratech-ffx.com). She may also be reached at the Tetra Tech main number at 703-385-6000. Please register by April 22, 2005. Depending on time available and the number of participants that wish to express their viewpoint, EPA will try to accommodate all meeting participants desiring to make a formal statement for the record. Formal statements are restricted to five minutes. In order to better plan the meeting and ensure that all participants have an opportunity to speak, EPA requests that those individuals desiring to make a formal prepared statement notify Ms. Jamie Mallen of Tetra Tech of their intent at least 10 days prior to the meeting. EPA further requests that any participant desiring to introduce specific technical information and/or quantitative data relating to a particular

subject provide a print copy of the materials (e.g., spreadsheets, tables, references, cites, etc.) to avoid any errors in the meeting record. EPA has secured the services of an independent contractor to serve as the meeting facilitator. A transcript and summary of the proceedings will be made available on the Office of Wastewater Management Web site (<http://www.epa.gov/npdes/stormwater>) within 30 days after the meeting date.

Dated: April 5, 2005.

**Benjamin H. Grumbles,**

*Assistant Administrator for Water.*

[FR Doc. 05-7221 Filed 4-8-05; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7896-9]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent for partial deletion of the surface soils of the South Tacoma Field (STF) Operable Unit of the Commencement Bay—South Tacoma Channel Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the Surface Soils of the South Tacoma Field ("STF") from National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Washington (State) through Washington Department of Ecology (Ecology) have determined that appropriate remedial actions relating to the surface soils portion of the STF have been implemented. This partial deletion pertains only to the surface soils portion of the STF and does not include the other portions of the Site.

The purpose of the proposed deletion of the surface soils portion of the STF is to remove remediated property from the NPL, thereby making the land more readily available for beneficial reuse. EPA has compiled all relevant