

disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: J. Mark Reeves, Central Service Office, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7477.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this document must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2004-19289/Airspace Docket No. 04-AGL-20." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Regional Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded through the

Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at <http://www.faa.gov> or the Superintendent of Document's web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR part 71 to establish Class E airspace at McGregor, MN, for McGregor/Isedor Iverson Airport. Controlled airspace extending upward from 700 feet or more above the surface of the earth is needed to contain aircraft executing instrument approach procedures. The area would be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9M dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an establishment body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore this, proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AGL MN E5 McGregor, MN [New]

McGregor/Isedor Iverson Airport, MN (Lat. 46°37'08" N., long. 93°18'35" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the McGregor/Isedor Iverson Airport.

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Issued in Des Plaines, Illinois, on December 3, 2004.

Nancy B. Kort,

Area Director, Central Terminal Operations.

[FR Doc. 04-28232 Filed 12-23-04; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

33 CFR Part 151

[USCG-2004-19621]

RIN 1625-AA89

Dry Cargo Residue Discharges in the Great Lakes

AGENCY: Coast Guard, DHS.

ACTION: Advanced notice of proposed rulemaking; request for information.

SUMMARY: The Coast Guard announces that it has begun a rulemaking project

for the regulation of non-hazardous and non-toxic dry cargo residue discharges by vessels operating on the Great Lakes. As part of the rulemaking project, the Coast Guard will conduct an environmental assessment. In order to conduct this environmental assessment, the Coast Guard intends to determine the current status of dry cargo operations on the Great Lakes. The Coast Guard requests information in response to any of these matters.

DATES: All relevant information and related material must reach the Docket Management Facility on or before March 28, 2005.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG–2004–19621 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) Web Site: <http://dms.dot.gov>.

(2) Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590–0001.

(3) Fax: 202–493–2251.

(4) Delivery: 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.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander Mary Sohlberg, U.S. Coast Guard, Environmental Standards Division, telephone: 202–267–0713, e-mail: msohlberg@comdt.uscg.mil. If you have questions on viewing the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, telephone: 202–366–0271.

SUPPLEMENTARY INFORMATION:

Background and Purpose

In a related non-rulemaking docket (USCG–2003–16814), the Coast Guard previously published two notices on the subject of non-hazardous and non-toxic dry cargo residue discharges by vessels operating on the Great Lakes (“dry cargo discharges”; see 69 FR 57711, Sep. 27, 2004; 69 FR 1994, Jan. 13, 2004). At present, some incidental dry cargo discharges are allowed under the Coast Guard’s Interim Enforcement Policy (IEP), which the Coast Guard and Maritime Transportation Act of 2004 (“the Act”) continues until September 30, 2008. Unless we issue new regulations in accordance with the rulemaking authority provided by the Act, those discharges will be prohibited after September 30, 2008.

The Act requires the Coast Guard to begin a regulatory environmental assessment not later than November 7, 2004. We met that requirement on September 29, 2004.

A first step in the environmental assessment is to collect and examine information on current dry cargo residue discharge operations in the Great Lakes. We will compare that information to the “Study of Dry Cargo Residue in the Great Lakes” that we compiled in 2000, which is docketed in USCG–2003–16814. This will allow us to see if the 2000 data are still valid or if dry cargo residue discharge operations on the Great Lakes have changed, and if any trends can be discerned.

The information we want to collect includes what types of vessels engage in cargo residue discharge, where they discharge, what they discharge, how they discharge, and how much they discharge. We expect to complete this study during the summer of 2005, and complete the rulemaking before the IEP expires in 2008. Therefore, we ask that you provide any relevant information on dry cargo residue discharges in the Great Lakes (see **DATES**).

Once we have collected and reviewed information regarding dry cargo residue discharges in the Great Lakes, we will formulate a proposed regulatory action and alternatives for an environmental assessment. Under the environmental assessment, we presently plan to focus primarily on toxicity data to make sure any residue discharges we might allow are neither hazardous nor toxic, and assess the environmental impact of allowing some incidental discharges to continue.

Under the National Environmental Policy Act, the Coast Guard has initiated an environmental assessment in which we will consider alternative courses of action, including a “no action” alternative, which in this case means declining to issue a regulation and letting the policy expire, thus prohibiting incidental discharges of dry cargo residues. Other alternatives might include continuing the current policy, or modifying it as to the quantities or locations of incidental discharges, or engineering alternatives. We welcome any suggestions you may have on what alternatives we should consider.

We will continue to issue additional **Federal Register** notices to keep you informed and to invite your continued participation, as we proceed with the environmental assessment and regulatory processes.

Request for Information

We ask that you submit your comments, or other relevant

information, on dry cargo residue discharges in the Great Lakes. As discussed in “Background and Purpose”, we are particularly interested in information that will help us determine what types of vessels perform these discharges, where they discharge, what they discharge, and how much they discharge. We will consider all comments and information received during the comment period.

Submissions should include:

- Docket number USCG–2004–19621.
- Your name and address.
- Your reasons for making each comment or for bringing information to our attention.

Submit comments or material using only one of the following methods:

- Electronic submission to the Docket Management Facility’s Docket Management System (DMS) (<http://dms.dot.gov>).

- Fax, mail, or hand delivery to the Docket Management Facility (see **ADDRESSES**). Faxed or hand delivered submissions must be unbound, no larger than 8½ by 11 inches, and suitable for copying and electronic scanning. If you mail your submission and want to know when it reaches the Facility, include a stamped, self-addressed postcard or envelope.

Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the DMS Web site (<http://dms.dot.gov>), and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available on the DMS Web site, or the Department of Transportation Privacy Act Statement that appeared in the **Federal Register** on April 11, 2000 (65 FR 19477).

You may view docket submissions in person, at the Docket Management Facility (see **ADDRESSES**), or electronically on the DMS Web site.

Dated: December 13, 2004.

Joseph J. Angelo,

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

[FR Doc. 04–28227 Filed 12–23–04; 8:45 am]

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