

because of their race, color, or national origin.

This ANPRM is not expected to negatively impact any community, and therefore is not expected to cause any disproportionately high and adverse impacts to minority or low-income communities. This ANPRM will assist us in revising our permit processing procedures for the protection of historic properties, some of which are located in minority or low-income communities.

#### Environmental Documentation

We prepare appropriate environmental documentation, including Environmental Impact Statements when required, for all permit decisions. Therefore, environmental documentation under the National Environmental Policy Act is not required for this ANPRM. Appropriate environmental documentation has been, or will be, prepared for each action that is subjected to the permit application review process.

Dated: September 20, 2004.

**John Paul Woodley, Jr.,**

*Assistant Secretary for the Army (Civil Works), Department of the Army.*

[FR Doc. 04-21540 Filed 9-24-04; 8:45 am]

BILLING CODE 3710-92-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7818-2]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent for partial deletion of the Centre County Kepone Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA), Region III, announces its intent to delete a portion of the Centre County Kepone Superfund Site (the Site), comprising approximately 8 acres to the north of Struble Road (referred to as the "Administration Parcel"), from the National Priorities List (NPL) and requests public comment on this action. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is found in Appendix B of 40 CFR part 300, which is the National Oil and Hazardous Substances Pollution

Contingency Plan (NCP). The EPA and the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection (PADEP), have determined that because no manufacturing operations ever occurred on the Administration Parcel and it is located upgradient from the contaminated portions of the Site, that this portion of the Site may be deleted from the NPL. The partial deletion pertains only to the Administration Parcel of the Site. The other portions of the Site will remain on the NPL, and response actions will continue. This action does not preclude further actions under Superfund.

In the "Rules and Regulations" section of today's **Federal Register**, EPA is publishing a direct final notice of deletion of the Administration Parcel of the Centre County Kepone Superfund Site without prior notice of intent to delete because EPA views this as a non-controversial revision and anticipates no adverse comment. EPA has explained its reasons for this deletion in the preamble to the direct final deletion. If EPA receives no adverse comment(s) on the direct final notice of deletion, EPA will not take further action on this notice of intent to delete. If EPA receives adverse comment(s), EPA will withdraw the direct final notice of deletion and it will not take effect. EPA will, as appropriate, address all public comments in a subsequent final deletion notice based on this notice of intent to delete. EPA will not institute a second comment period on this notice based on this notice of intent to delete. Any parties interested in commenting must do so at this time. For additional information, see the direct final notice of deletion, which is located in the Rules section of this **Federal Register**.

**DATES:** EPA will accept comments until October 27, 2004.

**ADDRESSES:** Written comments should be addressed to: David Polish, Community Involvement Coordinator, U.S. EPA Region III, Mailcode 3HS43, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029, (215) 814-3327 or 1-800-553-2509, [polish.david@epa.gov](mailto:polish.david@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Frank Klanchar, Project Manager, U.S. EPA Region III, Mailcode 3HS22, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029, (215) 814-3218 or 1-800-438-2474, [klanchar.frank@epa.gov](mailto:klanchar.frank@epa.gov).

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct Final Notice of Deletion, which is located in the Rules section of this **Federal Register**.

**Information Repositories:** Repositories have been established to provide detailed information concerning this decision at the following addresses: U.S. EPA Region III Library, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029, (215) 814-5000, Monday through Friday 8 a.m. to 12 p.m.; Schlow Memorial Library, 118 South Fraser Street, State College, PA 16801, (814) 237-6236, Monday through Wednesday 9 a.m. to 9 p.m., Thursday 12 p.m. to 9 p.m., Friday 9 a.m. to 6 p.m., Saturday 9 a.m. to 5 p.m., Sunday (during school year) 1:30 p.m. to 5 p.m.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Dated: September 14, 2004.

**Andrew Carlin,**

*Acting Regional Administrator, Region III.*

[FR Doc. 04-21494 Filed 9-24-04; 8:45 am]

BILLING CODE 6560-50-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Part 1852

RIN 2700-AD03

#### NASA Research Announcements—Small Business Subcontracting Plans and Publication Acknowledgement and Disclaimers

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule amends the NASA FAR Supplement to require for NASA Research Announcements: Submission of a small business subcontracting plan with any proposal having subcontracting possibilities that may result in the award of a contract whose value exceeds \$500,000; and acknowledgement of NASA sponsorship and disclaimer of agency endorsement of results.

**DATES:** Comments must be received by November 26, 2004.

**ADDRESSES:** Interested parties may submit comments, identified by RIN number 2700-AD03, via the Federal eRulemaking Portal: <http://>

[www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments. Comments may also be submitted to Patrick Flynn, NASA, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546. Comments can also be submitted by e-mail to: [patrick.flynn@nasa.gov](mailto:patrick.flynn@nasa.gov).

**FOR FURTHER INFORMATION CONTACT:**

Patrick Flynn, NASA, Office of Procurement, Contract Management Division (Code HK); (202) 358-0460; e-mail: [patrick.flynn@nasa.gov](mailto:patrick.flynn@nasa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. General**

The current process requires submission of a Small Business Subcontracting Plan when appropriate, at the award stage of the NASA Research Announcement (NRA) cycle. It is often too late to consider small business subcontracting at this stage if it was not planned in advance. Under this proposed rule requiring submission of the plan with the proposal, offerors will consider small business subcontracting opportunities in their proposal planning process. This change in process will significantly increase the opportunities for small business participation in NASA Research Announcements and research and development contracting within the Agency. The NASA Guidebook for Proposers Responding to a NRA currently advises NRA proposers to document all publications with an acknowledgement as well as include a disclaimer on certain published materials. However, regulatory language, which allows implementation of these requirements, does not currently exist. This change will require incorporation of the acknowledgement and disclaimer language on the appropriate published material.

This proposed rule is not a major rule under 5 U.S.C. 804.

**B. Regulatory Flexibility Act**

This proposed rule does not constitute a significant revision within the meaning of FAR 1.501 and Pub. L. 98-577, and publication for public comment is not required. However, NASA will consider comments from small entities concerning the affected NFS Part 1835 in accordance with 5 U.S.C. 610.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**List of Subjects in 48 CFR Part 1852**

Government procurement.

**Tom Luedtke,**

*Deputy Chief Acquisition Officer/ Director for Procurement.*

Accordingly, 48 CFR part 1852 is proposed to be amended as follows:

**PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

1. The authority citation for 48 CFR Part 1852 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1).

2. Amend section 1852.235-72 by revising the date of the clause and paragraph (a)(4) to read as follows:

**1852.235-72 Instructions for responding to NASA research announcements.**

\* \* \* \* \*

**Instructions for Responding to NASA Research Announcements (Month/Year of Final Rule Publication Date)**

(a) \* \* \*

(4) A contract, grant, cooperative agreement, or other agreement may be used to accomplish an effort funded in response to an NRA. NASA will determine the appropriate award instrument. Contracts resulting from NRAs are subject to the Federal Acquisition Regulation and the NASA FAR Supplement. Any proposal from a large business concern that may result in the award of a contract, which exceeds \$500,000 and has subcontracting possibilities should include a small business subcontracting plan in accordance with the clause at FAR 52.219-9, Small Business Subcontracting Plan. Any resultant grants or cooperative agreements will be awarded and administered in accordance with the NASA Grant and Cooperative Agreement Handbook (NPR 5800.1).

\* \* \* \* \*

**1852.235-73 [Amended]**

3. A. Amend section 1852.235-73 by revising the date of the clause to read [Date of Final Rule publication] and, in the first sentence of paragraph (b) removing the reference "NPG 2200.2A" and adding "NPR 2200.2" in its place.

B. Amend section 1852.235-73, Alternate II, by revising the date of the clause and adding a new paragraph (f) to read as follows:

**Alternate II (Month/Year of Final Rule Publication Date)**

\* \* \* \* \*

(f) All publications of any material based on or developed under NASA

sponsored projects shall include an acknowledgement similar to the following:

"The material is based upon work supported by the National Aeronautics and Space Administration under Contract Number XXXX."

Except for articles or papers published in scientific, technical or professional journals, the exposition of results from NASA supported research shall also include the following disclaimer:

"Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the National Aeronautics and Space Administration."

[FR Doc. 04-21414 Filed 9-24-04; 8:45 am]

BILLING CODE 7510-13-P

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[I.D. 092004A]

**Western Pacific Fishery Management Council; Public Meetings**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings and hearings.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold its 124th meeting to consider and take actions on fishery management issues in the Western Pacific Region. A meeting of the Council's Scientific and Statistical Committee (SSC) will also be held.

**DATES:** The 87th SSC meeting will be held on October 5-7, 2004. The 124th Council meeting and public hearings will be held on October 12-15, 2004. For specific times, and the agenda, see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The 87th SSC meeting will be held at the Western Pacific Fishery Council Conference room, 1164 Bishop Street, Suite 1400, Honolulu, HI. The 124th Council meeting and public hearings will be held at the Pagoda Hotel, 1525 Rycroft Street, Honolulu, HI; telephone: 808-943-6611.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** In addition to the agenda items listed here,