

corresponding provision in section 187(a)(3).

Therefore, based on our proposed finding that Las Vegas Valley has attained the CO NAAQS by the applicable attainment date (December 31, 2000), we propose to find that the contingency requirements under section 172(c)(9) and 187(a)(3) of the Act will no longer apply for the Las Vegas Valley CO nonattainment area at such time as we finalize our proposed attainment finding.

III. EPA's Proposed Action

EPA proposes to find, pursuant to sections 179(c)(1) and 186(b)(2) of the Act, that the Las Vegas Valley "serious" nonattainment area has attained the NAAQS for CO by the applicable attainment date. If finalized as proposed, our action will relieve the State of Nevada from the obligation under section 187(g) of the Act to prepare and submit a SIP revision providing for a reduction of CO emissions within Las Vegas Valley by at least five percent per year in each year after approval of the SIP revision until the CO NAAQS is attained. It should be noted that this proposed action does not represent a proposal to redesignate this area from "nonattainment" to "attainment". Under section 107(d)(3)(E), the Clean Air Act requires that, for an area to be redesignated from nonattainment to attainment, five criteria must be satisfied including the submittal by the State (and approval by EPA) of a maintenance plan as a SIP revision. Therefore, the designation status of Las Vegas Valley in 40 CFR part 81 is unaffected by this proposed action, and Las Vegas Valley will remain a "serious" nonattainment area for CO until such time as EPA finds that the State of Nevada has met the Clean Air Act requirements for redesignation to attainment.

Based on our proposed finding of attainment by the applicable attainment date, we are also proposing to determine that the CAA's requirement for the SIP to provide for CO contingency measures will no longer apply to Las Vegas Valley. In this instance, the State submitted contingency measures (as part of the Las Vegas Valley serious area CO plan adopted in August 2000), but we will continue to defer taking any further action on them under sections 172(c)(9) and 187(a)(3) of the Act in light of this proposed finding of attainment by the applicable attainment date and resulting determination that the contingency measure requirement no longer applies to the area. The State may elect to withdraw the contingency measures to lift the obligation on EPA

under section 110(k) to act on SIP submittals within certain time periods. If we finalize this action as proposed, then the remaining FIP obligation (*i.e.*, relative to contingency measures) that was triggered 24 months after our finding of Nevada's failure to submit a serious area CO plan for Las Vegas Valley (*see* 64 FR 49084, September 10, 1999) will be permanently lifted.

IV. Request for Public Comment

We are soliciting public comment on all aspects of this proposal. These comments will be considered before taking final action. To comment on today's proposal, you should submit comments by mail or in person (in triplicate if possible) to the **ADDRESSES** section listed in the front of this document. Your comments must be received by February 22, 2005 to be considered in the final action taken by EPA.

V. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This proposed action merely proposes to find that an area has attained a national ambient air quality standard based on an objective review of measured air quality data. It also proposes to determine that certain Clean Air Act requirements no longer apply so long as the area continues to attain the standard. If finalized, it would not impose any new regulations, mandates, or additional enforceable duties on any public, nongovernmental, or private entity. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this proposed rule does not impose any additional enforceable duty, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes,

as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to find that an area has attained a national ambient air quality standard and is therefore not subject to certain specific requirements for so long as the area continues to attain the standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. 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.

This proposed rule does not involve establishment of technical standards, and 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.*)

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

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: January 7, 2005.

Laura Yoshii,

Acting Regional Administrator, Region IX.

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HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

45 CFR Part 1801

Scholar Accountability Policy

AGENCY: Harry S. Truman Scholarship Foundation.

ACTION: Notice of proposed rulemaking

SUMMARY: The Truman Scholarship Foundation [Foundation] proposes to amend its regulations with respect to Scholar accountability to the Foundation for scholarship funds received. This rule is to clarify existing Foundation policy.

DATES: Submit comments on or before March 22, 2005.

ADDRESSES: Send comments to Louis H. Blair, Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW., Washington, DC 20005 or send e-mail to lblair@truman.gov.

FOR FURTHER INFORMATION CONTACT: Louis H. Blair, Harry S. Truman Scholarship Foundation, 202-395-4831.

SUPPLEMENTARY INFORMATION: This proposed rule was developed by the Accountability Task Force, established at the Spring 2003 Board of Trustees Meeting. The Task Force researched and considered a number of options and recommended this rule to the Board of Trustees in Spring 2004. The Board adopted the recommendations of the Trustees and required the Foundation provide an implementation plan. This implementation plan was received and approved at the Fall 2004 Board Meeting.

List of Subjects in 45 CFR Part 1801

Grant Programs—education, Scholarships and fellowships.

For the reasons set forth in the preamble, the Foundation proposes to amend 45 CFR part 1801 as follows:

PART 1801—HARRY S. TRUMAN SCHOLARSHIP PROGRAM

1. The authority citation for part 1801 continues to read as follows:

Authority: Pub. L. 93-642, 88 Stat. 2276 (20 U.S.C. 2001-2012).

2. Add §1801.63 to read as follows:

§ 1801.63 Scholar accountability.

(a) A Scholar selected after January 2005 must be employed in public service for three of the seven years following completion of his or her Foundation funded graduate education.

(b) Following completion of Foundation funded graduate education, Scholars must submit a report to the Foundation by July 15 of each year. This report will include the Scholar's current contact information as well as a brief description of his or her employment during the past twelve months. This reporting requirement ends when the Foundation determines that a Scholar has reported three years of public service employment and the Foundation notifies him or her that he or she no longer is required to submit reports. Scholars who fail for two consecutive years to submit the required report to the Foundation will be considered to have failed to complete the three year public service requirement of paragraph (a) of this section.

(c) A Scholar who fails to be employed in public service for three out of the first seven years following completion of his or her Foundation funded graduate education must repay to the Foundation an amount equal to:

(1) All of the Scholarship stipends received,

(2) Interest at the rate of 6% per annum from the date of receipt of each payment until repayment is made to the Foundation, and

(3) Reasonable collection fees.

(d)(1) The repayment obligation of paragraph (c) of this section accrues on the first July 15 on which it becomes impossible for a Scholar to fulfill the three year public service requirement of paragraph (a) of this section. For example, July 15 of the sixth year following completion of Foundation funded graduate education for a Scholar who has been employed in the public service for only one of those six years.

(2) The Foundation will send to the Scholar's last known address a notice that his or her repayment obligation has accrued. The failure, however, of the Foundation to send, or the Scholar to receive, such a notice does not alter or delay the Scholar's repayment obligation.

(e) The Foundation may employ whatever remedies are available to it to collect any unpaid obligation accruing under this § 1801.63.

(f) Upon application by the Scholar showing good cause for doing so, the Foundation may waive or modify the repayment obligation established by paragraph (c) of this section.

(g) The Foundation will establish a process for appealing any disputes concerning the accrual of the repayment obligation imposed by paragraph (c) of this section. The Foundation will publish on its Web site <http://www.truman.gov> information about this appeals process and other information pertinent to repayment obligations accruing under this § 1801.63.

Dated: January 11, 2005.

Louis H. Blair,

Executive Secretary.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171, 172, 173 and 175

[Docket No. RSPA-02-11654 (HM-228)]

RIN 2137-AD18

Hazardous Materials: Revision of Requirements for Carriage by Aircraft

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

ACTION: Notice of proposed rulemaking (NPRM); extension of comment period.

SUMMARY: RSPA is extending until March 18, 2005, the period for interested persons to submit comments on the November 10, 2004 notice of proposed rulemaking in response to a request by the Air Transport Association of America, Inc. (ATA). In the November 10, 2004 NPRM, we proposed to amend the requirements in the Hazardous Materials Regulations (HMR) for the transportation of hazardous materials by aircraft. The proposed changes include clarifying the applicability of part 175; excepting cargo aircraft from the quantity limits in § 175.75; reformatting the exceptions in § 175.10 into three sections based on applicability; and providing new separation distances for the shipment of radioactive materials by cargo aircraft. These changes are being proposed in order to clarify requirements to promote safer transportation practices; promote compliance and enforcement; eliminate unnecessary regulatory requirements; convert certain exemptions into regulations of general applicability; finalize outstanding petitions for rulemaking; facilitate international commerce; and make these requirements easier to understand.

DATES: Submit comments by March 18, 2005. To the extent possible, we will consider comments received after this date.

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

Web Site: <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

Fax: 1-202-493-2251.

Mail: Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

Hand Delivery: To the Docket Management System; Room PL-401 on