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[FR Doc. 03-18303 Filed 7-21-03; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 271**

[FRL-7530-8]

**Texas: Final Authorization of State Hazardous Waste Management Program Revisions****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Removal of immediate final rule.

**SUMMARY:** EPA is removing the immediate final rule, Texas: Final Authorization of State Hazardous Waste Management Program Revisions, published on April 15, 2003, at 68 FR 18126, which authorized changes to Texas' hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA stated in the immediate final rule that if EPA received written comments that opposed this authorization during the comment period, EPA would publish a timely notice of withdrawal in the **Federal Register**. Since EPA did receive comments that opposed this authorization, EPA is removing the immediate final rule. EPA will address these comments in a subsequent final action.

**DATES:** As of July 22, 2003. EPA removes the immediate final rule published on April 15, 2003, at 68 FR 18126.

**FOR FURTHER INFORMATION CONTACT:**

Alima Patterson, Regional Authorization Coordinator, Grants and Authorization Section (6PD-G), Multimedia Planning and Permitting Division, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, (214) 665-8533.

**SUPPLEMENTARY INFORMATION:** EPA's removal of this immediate final rule is based on the Agency receiving written comments that opposed this authorization. The EPA is removing the immediate final rule, Texas: Final Authorization of State Hazardous Waste Management Program Revisions, published on April 15, 2003, at 68 FR 18126, which authorized changes to Texas' hazardous waste rules. EPA stated in the immediate final rule that if EPA received written comments that opposed this authorization during the comment period, EPA would publish a timely notice of withdrawal in the **Federal Register**. The immediate final rule became effective June 16, 2003.

However, since EPA received comments that opposed this action, EPA is today removing the immediate final rule. EPA will address the comments received during the comment period in a subsequent final action.

Dated: July 11, 2003.

**Richard E. Greene,***Regional Administrator, Region 6.*

[FR Doc. 03-18293 Filed 7-21-03; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL MARITIME COMMISSION****46 CFR Part 530**

[Docket No. 03-03]

**Amendment to Service Contract Regulations**

July 17, 2003.

**AGENCY:** Federal Maritime Commission.**ACTION:** Final rule.

**SUMMARY:** The Federal Maritime Commission is amending its regulations on the electronic filing of service contracts for ocean transportation under the Shipping Act of 1984 ("Shipping Act") (46 U.S.C. app. 1701 *et seq.*), as amended by the Ocean Shipping Reform Act of 1998 ("OSRA"), to add a provision which permits persons authorized to transmit electronically service contract filings for vessel-operating common carriers, conferences and agreements, to correct, within 48 hours, an original service contract filing or an amendment that is defective due to electronic transmission errors. The revision allows a "corrected transmission" of the original service contract or amendment submission to be designated as such and filed in the Commission's electronic service contract filing system, SERVCON.

**EFFECTIVE DATE:** September 8, 2003.**FOR FURTHER INFORMATION CONTACT:**

Florence A. Carr, Director, Bureau of Trade Analysis, Federal Maritime Commission, 800 North Capitol Street, NW., Room 940, Washington, DC 20573, 202-523-5796, E-mail: [florence@fmc.gov](mailto:florence@fmc.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The Federal Maritime Commission initiated this proceeding by a Notice of Proposed Rulemaking ("NPR") published in the **Federal Register** on April 2, 2003, 68 FR 15978. The NPR solicited comment on the proposed rule from the public. Three comments were received. Comments were submitted by Distribution-Publications, Inc. ("DPI")

and Pacific Coast Tariff Bureau ("PCTB"), both tariff publishers. Attorney Howard Levy also filed a comment.

All of the comments were generally supportive of the proposed rule. Both tariff publishers endorsed the scope of errors to be corrected under the rule. The comments of DPI specifically noted that the 48-hour window to correct electronic transmission errors in service contract filings is the right amount of time for the correction process. The comments of PCTB also included a suggestion that the SERVCON system should be altered further to reintroduce the ability of a filer to completely withdraw a filed service contract or amendment that contains erroneous matter.

**Discussion**

Section 8(c) of the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act of 1998 ("OSRA"), 46 U.S.C. app. 1707(c), and the Commission's current service contract regulations, 46 CFR part 530, subpart A, require service contracts between shippers and ocean common carriers in the foreign commerce of the United States to be filed electronically with the Commission on a confidential basis. Only an "authorized person," as defined in 46 CFR 530.3(c), can access the confidential section of the Commission's electronic service contract filing system, SERVCON, available via the Commission's website. Some carriers use individual employees as the authorized person to file their service contracts; however, the majority of carriers authorize third parties to make their service contract filings. The filings may consist of an original service contract or an amendment to an existing service contract.

Current regulations provide for the amendment, correction, and cancellation of service contract filings (46 CFR 530.10). This final rule will provide filers the ability to correct purely electronic "transmission errors" made when filing either the original service contract or an amendment to a service contract into SERVCON, or errors made in the process of converting the service contract filing into electronic format for submission to the SERVCON system.

Under this final rule only errors resulting from electronic transmission and data conversion for SERVCON format may be corrected. Examples of substantive service contract changes that are not permitted under the new 46 CFR 530.10(d) are: Change of rates; deletion of a port or point to be served or a commodity to be carried under the