

**CONTACT PERSON FOR MORE INFORMATION:** Magalie R. Salas, Secretary, Telephone (202) 502-8400.

Chairman Wood and Commissioners Massey and Brownell voted to hold a closed meeting on October 2, 2003. The certification of the General Counsel explaining the action closing the meeting is available for public inspection in the Commission's Public Reference Room at 888 First Street, NW., Washington, DC 20426.

The Chairman and the Commissioners, their assistants, the Commission's Secretary and her assistant, the General Counsel and members of her staff, and a stenographer are expected to attend the meeting. Other staff members from the Commission's program offices who will advise the Commissioners in the matters discussed will also be present.

Magalie R. Salas,  
Secretary.

[FR Doc. 03-24954 Filed 9-26-03; 4:28 pm]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-FRC-7588-9]

### Acid Rain Program: Notice of Annual Adjustment Factors for Excess Emission Penalty

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of annual adjustment factors for excess emissions penalty.

**SUMMARY:** Under the Acid Rain Program, affected units must hold enough allowances to cover their sulfur dioxide emissions and meet an emission limit for nitrogen oxides. Under 40 CFR 77.6, units that do not meet these requirements must pay a penalty without demand to the Administrator based on the number of excess tons emitted times \$2000 as adjusted by an annual adjustment factor that must be published in the **Federal Register**.

The annual adjustment factor for adjusting the penalty for excess emissions of sulfur dioxide and nitrogen oxides under 40 CFR part 77 for compliance year 2003 is 1.4502. This value is derived from the Consumer Price Index for 1990 and 2003, as defined in 40 CFR part 72, and corresponds to a penalty of \$2900 per excess ton of sulfur dioxide or nitrogen oxides emitted.

The annual adjustment factor for adjusting the penalty for excess emissions of sulfur dioxide and nitrogen oxides under 40 CFR part 77 for

compliance year 2004 is 1.4815. This value is derived from the Consumer Price Index for 1990 and 2004, as defined in 40 CFR part 72, and corresponds to a penalty of \$2963 per excess ton of sulfur dioxide or nitrogen oxides emitted.

**FOR FURTHER INFORMATION CONTACT:** Robert Miller, Clean Air Markets Division (6204N), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460 at (202) 564-9077.

Dated: September 22, 2003.

Larry F. Kertcher,

Acting Director, Clean Air Markets Division,  
Office of Atmospheric Programs, Office of  
Air and Radiation.

[FR Doc. 03-24911 Filed 9-30-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7565-7]

### Clean Water Act Section 303(d): Availability of 3 Total Maximum Daily Loads (TMDLs)

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability for comment of the administrative record file for 3 TMDLs and the calculations for these TMDLs prepared by EPA Region 6 for waters listed in the state of Arkansas under section 303(d) of the Clean Water Act (CWA). These TMDLs were completed in response to the lawsuit styled *Sierra Club, et al. v. Browner, et al.*, No. LR-C-99-114.

**DATES:** Comments must be submitted in writing to EPA on or before October 31, 2003.

**ADDRESSES:** Comments on the 3 TMDLs should be sent to Ellen Caldwell, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733, facsimile (214) 665-6490, or e-mail: [caldwell.ellen@epa.gov](mailto:caldwell.ellen@epa.gov). For further information, contact Ellen Caldwell at (214) 665-7513. Documents from the administrative record file for these TMDLs are available for public inspection at this address as well. Documents from the administrative record file may be viewed at <http://www.epa.gov/region6/water/artmdl.htm>, or obtained by calling or writing Ms. Caldwell at the above address. Please contact Ms. Caldwell to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Ellen Caldwell at (214) 665-7513.

**SUPPLEMENTARY INFORMATION:** In 1999, five Arkansas environmental groups, the Sierra Club, Federation of Fly Fishers, Crooked Creek Coalition, Arkansas Fly Fishers, and Save our Streams (plaintiffs), filed a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA), styled *Sierra Club, et al. v. Browner, et al.*, No. LR-C-99-114. Among other claims, plaintiffs alleged that EPA failed to establish Arkansas TMDLs in a timely manner. EPA proposes these TMDLs pursuant to a consent decree entered in this lawsuit.

### EPA Seeks Comments on 3 TMDLs

By this notice EPA is seeking comment on the following 3 TMDLs for waters located within the state of Arkansas:

Segment-reach	Waterbody name	Pollutant
AR11110203-904-3.	Stone Dam Creek.	Ammonia.
AR11110203-904-3.	Stone Dam Creek.	Nitrates.
AR11110203-931-10.	Whig Creek	Copper.

EPA requests that the public provide to EPA any water quality related data and information that may be relevant to the calculations for these 3 TMDLs. EPA will review all data and information submitted during the public comment period and revise the TMDLs where appropriate. EPA will then forward the TMDLs to the Arkansas Department of Environmental Quality (ADEQ). The ADEQ will incorporate the TMDLs into its current water quality management plan. The EPA also will revise the Arkansas 303(d) list as appropriate.

Dated: September 23, 2003.

Miguel I. Flores,

Director, Water Quality Protection Division,  
Region 6.

[FR Doc. 03-24777 Filed 9-30-03; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL MARITIME COMMISSION

### Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC, offices of the Commission, 800 North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to