

7400.9K may be inspected in Docket No. 29334 at the Federal Aviation Administration, Office of the Chief Counsel, AGC-200, Room 915G, 800 Independence Avenue, SW., Washington, DC, weekdays between 8:30 a.m. and 5 p.m., or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC. This section is applicable September 16, 2002, through September 15, 2003.

**§ 71.5 [Amended]**

3. Section 71.5 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.31 [Amended]**

4. Section 71.31 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.33 [Amended]**

5. Paragraph (c) of § 71.33 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.41 [Amended]**

6. Section 71.41 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.51 [Amended]**

7. Section 71.51 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.61 [Amended]**

8. Section 71.61 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.71 [Amended]**

9. Paragraphs (b), (c), (d), (e), and (f) of § 71.71 are amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.79 [Amended]**

10. Section 71.79 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

**§ 71.901 [Amended]**

11. Paragraph (a) of § 71.901 is amended by removing the words “FAA Order 7400.9J” and adding, in their place, the words “FAA Order 7400.9K”.

Issued in Washington, DC, September 13, 2002.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 02-23824 Filed 9-27-02; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF THE TREASURY**

**Customs Service**

**19 CFR Part 12**

**[T.D. 02-56]**

**RIN 1515-AD17**

**Extension of Import Restrictions Imposed on Archaeological Material From Guatemala**

**AGENCY:** Customs Service, Treasury.

**ACTION:** Final rule.

**SUMMARY:** In T.D. 97-81, the Customs Regulations were amended to reflect the imposition of import restrictions on certain archaeological material from Guatemala. These restrictions were imposed pursuant to a Memorandum of Understanding between the United States and Guatemala (the MOU) that was entered into under the authority of the Convention on Cultural Property Implementation Act in accordance with the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Recently, the United States Department of State determined that conditions continue to warrant the imposition of these import restrictions for a period not to exceed 5 years. The Governments of the United States and Mali exchanged diplomatic notes agreeing to extend the MOU. Thus, this document amends the Customs Regulations to reflect that the import restrictions currently in place continue, without interruption, for a period not to exceed five years from September 29, 2002. T.D. 97-81 contains the List of Designated Archaeological Material from Guatemala that describes the articles to which the restrictions and this extension of restrictions apply.

**EFFECTIVE DATE:** This regulation and the extension of import restrictions reflected in this regulation become effective on September 29, 2002.

**FOR FURTHER INFORMATION CONTACT:** (Regulatory Aspects) Joseph Howard, Intellectual Property Rights Branch (202) 572-8701; (Operational Aspects) Al Morawski, Trade Operations (202) 927-0402.

**SUPPLEMENTARY INFORMATION:**

**Background**

Pursuant to the provisions of the 1970 UNESCO Convention, codified into U.S. law as the Convention on Cultural Property Implementation Act (Public Law 97-446, 19 U.S.C. 2601 et seq)(the Act), the United States entered into a bilateral agreement with Guatemala on September 29, 1997 (Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Guatemala Concerning the Imposition of Import Restrictions on Archaeological Objects and Materials from the Pre-Columbian Cultures of Guatemala) (the MOU), concerning the imposition of import restrictions on certain archaeological material from Guatemala. The U.S. Customs Service issued T.D. 97-81 (62 FR 51771, October 3, 1997) amending § 12.104g(a) of the Customs Regulations (19 CFR 12.104g(a)) to reflect the imposition of these restrictions for a period not to exceed five years. The restrictions cover Maya material from the Peten Lowlands and related pre-Columbian material from the Highlands and the Southern Coast of Guatemala. The restrictions became effective on October 3, 1997.

Prior to the issuance of T.D. 97-81, Customs issued T.D. 91-34 (56 FR 15181, April 15, 1991) that imposed emergency import restrictions on certain archaeological material from the Peten Region of Guatemala. Under T.D. 91-34, § 12.104g(b) (19 CFR 12.104g(b)) of the regulations pertaining to emergency restrictions was amended accordingly. These emergency restrictions were extended for a period of three years under T.D. 94-84 (59 FR 55528, November 7, 1994). Subsequently, the same archaeological material covered by T.D. 91-34 (and the extension of T.D. 94-84) was subsumed in T.D. 97-81 when it was published in 1997, at which time the emergency restrictions of T.D. 91-34 (and T.D. 94-84) were removed from § 12.104g(b).

On August 18, 2002, the Assistant Secretary of Educational and Cultural Affairs, Department of State, concluded, among other things, that the cultural patrimony of Guatemala continues to be in jeopardy from pillage of irreplaceable materials representing its Pre-Columbian heritage and made the necessary determinations under 19 U.S.C. 2602(e) and 2602(a) to extend the import restrictions for a period not to exceed five years (in the Determination to Extend the MOU). The Government of the United States and the Government of the Republic of Mali exchanged diplomatic notes on September 20,

2002, agreeing to extend the MOU effective September 29, 2002. Accordingly, Customs is amending § 12.104g(a) to reflect the extension of the import restrictions.

The List of Designated Archaeological Material from Guatemala describing the materials covered by these import restrictions is set forth in T.D. 97-81. The list and accompanying image database may also be found at the following internet Web site address: <http://exchanges.state.gov/culprop>.

The restrictions on the importation of these archaeological materials from Guatemala are to continue in effect for five years from September 29, 2002. Importation of these materials continues to be restricted unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

#### **Inapplicability of Notice and Delayed Effective Date**

Because the amendment to the Customs Regulations contained in this document extends import restrictions already imposed on the above-listed cultural property of Guatemala by the terms of a bilateral agreement entered into in furtherance of a foreign affairs function of the United States, pursuant to the Administrative Procedure Act (5 U.S.C. 553(a)(1)), notice of proposed rule-making, public procedure, and a delayed effective date are not required.

#### **Regulatory Flexibility Act**

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. Accordingly, this final rule is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

#### **Executive Order 12866**

This amendment does not meet the criteria of a "significant regulatory action" as described in Executive Order 12866.

#### **Drafting Information**

The principal author of this document was Bill Conrad, Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service.

#### **List of Subjects in 19 CFR Part 12**

Cultural property, Customs duties and inspections, Imports.

#### **Amendment to the Regulations**

Accordingly, Part 12 of the Customs Regulations (19 CFR Part 12) is amended as set forth below:

### **PART 12—[AMENDED]**

1. The general authority and specific authority citations for Part 12, in part, continue to read as follows:

**Authority:** 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

\* \* \* \* \*  
Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;  
\* \* \* \* \*

#### **§ 12.104g [Amended]**

2. In § 12.104g(a), the list of agreements imposing import restrictions on described articles of cultural property of State Parties is amended in the entry for Guatemala by adding "extended by T.D. 02-56" immediately after "T.D. 97-81" in the column headed "T.D. No.".

**Robert C. Bonner,**

*Commissioner of Customs.*

**Timothy E. Skud,**

*Deputy Assistant Secretary of the Treasury.*

[FR Doc. 02-24895 Filed 9-26-02; 12:54 pm]

**BILLING CODE 4820-02-P**

### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 52**

[LA-61-3-7565a; FRL-7384-7]

#### **Approval of Revisions to the Louisiana Department of Environmental Quality Title 33 Environmental Quality Part III; Air Chapter 5; Permit Procedures, 504; Nonattainment New Source Review Procedures**

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

**ACTION:** Final rule.

**SUMMARY:** The EPA is approving revisions to the State of Louisiana's State Implementation Plan (SIP). The revisions concern the nonattainment New Source Review (NSR) procedures for the five-parish Baton Rouge ozone nonattainment area. The revisions include increases to the minimum offset ratios for new major stationary sources and major modifications at major stationary sources in nonattainment areas. The minimum offset ratios were increased for classifications of serious and severe ozone nonattainment. The revisions also allow an increase in volatile organic compound (VOC) emissions to be offset by a decrease in emissions of nitrogen oxides (NO<sub>x</sub>) if the net result is a decrease in ozone levels. The revisions require that if NO<sub>x</sub>

emissions decreases are used for VOC emissions increases, the permit for which the offsets are required must have been issued on or before November 15, 2005, and must meet additional requirements to ensure a net air quality benefit.

Major stationary sources that plan to build or modify in a nonattainment area must obtain these emissions offsets as a condition of permit approval. Emissions offsets are reductions in actual emissions from existing sources in the vicinity of the proposed new source. The EPA proposed approval of these SIP revisions on July 23, 2002 (67 FR 48090). The EPA approves the use of these revisions as a component of the Louisiana plan to bring the Baton Rouge nonattainment area into compliance with the Clean Air Act (CAA or the Act). Pursuant to section 553(d) of the Administrative Procedure Act, EPA finds good cause to make this action effective immediately.

**EFFECTIVE DATE:** This rule will be effective on September 30, 2002.

**ADDRESSES:** Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency,  
Region 6, Air Permits Section (6PD-R), 1445 Ross Avenue, Dallas, Texas 75202-2733.

Louisiana Department of Environmental Quality, Air Quality Division, 7290 Bluebonnet Boulevard, Baton Rouge, Louisiana 70810.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Stankosky of the EPA Region 6 Air Permits Section at (214) 665-7525.

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document wherever "we", "us," or "our" is used, we mean the EPA. Throughout this document, whenever "Baton Rouge Area" or "Baton Rouge Ozone Nonattainment Area" is used, we mean the area which includes the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge in the State of Louisiana. See 40 CFR 81.319.

I. What Action Is the EPA Taking?

II. Why Is This Action Necessary?

III. What Does This Action Do?

IV. Whom Does This Action Affect?

V. How Does the State's NSR Regulation in Chapter 5 Interact With the NO<sub>x</sub> Control Regulation in Chapter 22 and the Revised Banking Regulation in Chapter 6?

VI. What Comments Were Received on the Proposed Nonattainment NSR Rule, and How Has the EPA Responded?