

OHIO PM<sub>2.5</sub> (ANNUAL NAAQS)

Designated area	Designation <sup>a</sup>	
	Date <sup>1</sup>	Type
* * * * * Huntington-Ashland, OH. Adams County (part). Monroe Township. Sprigg Township. Gallia County (part). Addison Township. Cheshire Township. Lawrence County. Scioto County .....	12/31/12	Attainment.
* * * * *	*	*

<sup>a</sup> Includes Indian Country located in each county or area, except as otherwise specified.  
<sup>1</sup> This date is 90 days after January 5, 2005, unless otherwise noted.

\* \* \* \* \*  
 [FR Doc. 2012-31276 Filed 12-28-12; 8:45 am]  
 BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 9 and 721**

[EPA-HQ-OPPT-2011-0941; FRL-9369-8]

RIN 2070-AB27

**Significant New Use Rule on Certain Chemical Substances; Removal of Significant New Use Rules**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is removing significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for four chemical substances which were the subject of premanufacture notices (PMNs). EPA published these SNURs using direct final rulemaking procedures. EPA received notice of intent to submit adverse comments on these rules. Therefore, the Agency is removing these SNURs, as required under the expedited SNUR rulemaking process. EPA intends to publish in the near future proposed SNURs for these four chemical substances under separate notice and comment procedures.

**DATES:** This final rule is effective December 31, 2012.

**FOR FURTHER INFORMATION CONTACT:** For technical information contact: Kenneth Moss, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone

number: (202) 564-9232; email address: *Moss.Kenneth@epa.gov*.  
 For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave. Rochester, NY 14620; telephone number: (202) 554-1404; email address: *TSCA-Hotline@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Does this action apply to me?**

A list of potentially affected entities is provided in the **Federal Register** of September 21, 2012 (77 FR 58666) (FRL-9357-2). If you have questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

**II. What rules are being removed?**

In the **Federal Register** of September 21, 2012 (77 FR 58666), EPA issued several direct final SNURs, including SNURs for the chemical substances that are the subject of this removal. These direct final rules were issued pursuant to the procedures in 40 CFR part 721, subpart D. In accordance with § 721.160(c)(3)(ii), EPA is removing these rules issued for four chemical substances which were the subject of PMNs P-07-204, P-10-58, P-10-59, and P-10-60, because the Agency received notice of intent to submit adverse comments without sufficient time to respond prior to the effective date of the rules. EPA intends to publish proposed SNURs for these chemical substances under separate notice and comment procedures.

For further information regarding EPA's expedited process for issuing SNURs, interested parties are directed to 40 CFR part 721, subpart D, and the **Federal Register** of July 27, 1989 (54 FR 31314). The record for the direct final

SNURs for the chemical substances that are being removed was established at EPA-HQ-OPPT-2011-0941. That record includes information considered by the Agency in developing this rule and the notice of intent to submit adverse comments.

**III. How do I access the docket?**

To access the electronic docket, please go to <http://www.regulations.gov> and follow the online instructions to access docket ID number EPA-HQ-OPPT-2011-0941. Additional information about the Docket Facility is provided under **ADDRESSES** in the **Federal Register** of September 21, 2012 (77 FR 58666). If you have questions, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

**IV. Statutory and Executive Order Reviews**

This final rule removes existing regulatory requirement and does not contain any new or amended requirements. As such, the Agency has determined that this removal will not have any adverse impacts, economic or otherwise. The statutory and executive order review requirements applicable to the direct final rule were discussed in the **Federal Register** of September 21, 2012 (77 FR 58666). Those review requirements do not apply to this action because it is a removal and does not contain any new or amended requirements.

**V. Congressional Review Act (CRA)**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General

of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

#### List of Subjects

##### 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

##### 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: December 17, 2012.

**Maria J. Doa,**

*Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Therefore, 40 CFR parts 9 and 721 are amended as follows:

#### PART 9—[AMENDED]

- 1. The authority citation for part 9 continues to read as follows:

**Authority:** 7 U.S.C. 135 *et seq.*, 136–136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601–2671; 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345(d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g–1, 300g–2, 300g–3, 300g–4, 300g–5, 300g–6, 300j–1, 300j–2, 300j–3, 300j–4, 300j–9, 1857 *et seq.*, 6901–6992k, 7401–7671q, 7542, 9601–9657, 11023, 11048.

##### § 9.1 [Amended]

- 2. The table in § 9.1 is amended by removing the entries “§ 721.10509” and “§ 721.10515” under the undesignated center heading “Significant New Uses of Chemical Substances.”

#### PART 721—[AMENDED]

- 3. The authority citation for part 721 continues to read as follows:

**Authority:** 15 U.S.C. 2604, 2607, and 2625(c).

##### § 721.10509 [Removed]

- 4. Remove § 721.10509.

##### § 721.10515 [Removed]

- 5. Remove § 721.10515.

[FR Doc. 2012–31403 Filed 12–28–12; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### 43 CFR Part 2

RIN 1093–AA15

### Freedom of Information Act Regulations

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Final rule.

**SUMMARY:** This rule revises the regulations that the Department of the Interior (the “Department”) follows in processing records under the Freedom of Information Act (“FOIA”). The revisions clarify and update procedures for requesting information from the Department and procedures that the Department follows in responding to requests from the public. The revisions also incorporate clarifications and updates resulting from changes to the FOIA and case law. Finally, the revisions include current cost figures to be used in calculating and charging fees and increase the amount of information that members of the public may receive from the Department without being charged processing fees.

**DATES:** Effective January 30, 2013.

#### SUPPLEMENTARY INFORMATION:

#### I. Why We’re Publishing This Rule and What It Does

##### A. Introduction

The regulations are being revised to update, clarify, and streamline the language of procedural provisions, and to incorporate certain changes brought about by the amendments to the FOIA under the OPEN Government Act of 2007, Public Law 110–175, 121 Stat. 2524. Additionally, the regulations are being updated to reflect developments in the case law and to include current cost figures to be used in calculating and charging fees.

The revisions also incorporate changes to the language and structure of the FOIA regulations in order to improve the Department’s FOIA performance. More nuanced multitrack processing can be found at § 2.15. Partial fee waivers are expressly permitted under § 2.45. Revisions of the Department’s fee schedule can be found at §§ 2.42, 2.49(a)(1), and Appendix A. The duplication charge for physical records or scanning records increased from thirteen to fifteen cents a page. The amount at or below which the Department will not charge a fee increased from \$30.00 to \$50.00.

On September 13, 2012, the Department published a proposed rule

in the **Federal Register** (77 FR 56592) and requested comments over a 60-day period ending on November 13, 2012. All comments received were considered in drafting this final rule.

##### B. Discussion of Comments

Six commenters responded to the invitation for comments, including one commenter from a subcomponent of a Federal agency and five commenters from non-Federal sources. While most of the commenters generally supported the proposed changes, they identified thirty specific issues or recommendations, which the Department addressed as follows:

##### The Final Rule Should Include More Information in Its Introductory Section

One commenter suggested that § 2.1 discuss how to submit a FOIA request (and also expressed concern that the regulations might only allow FOIA requests to be submitted to the Department electronically). Because § 2.3 directly addresses where to send a FOIA request (and specifically discusses where to find the physical and email addresses of each bureau’s FOIA Officer), the Department has not adopted this suggestion.

##### The Final Rule Should Not Create Unnecessary Burdens for Requesters

One commenter suggested that requiring requesters to “write directly to the bureau that you believe maintains those records” in § 2.3(b) was overly burdensome and creates barriers to access, because requesters may not know where the records are maintained. However, § 2.3(d) specifically notes that “[q]uestions about where to send a FOIA request should be directed to the bureau that manages the underlying program or to the appropriate FOIA Public Liaison, as discussed in § 2.66.” Therefore, the Department does not believe § 2.3 is unduly burdensome and has not amended it.

##### The Final Rule Should Provide Examples of How Requesters Can Reasonably Describe the Records They Seek

One commenter suggested that examples of how requesters can reasonably describe the records they seek be added to § 2.5(b), and the Department has adopted this suggestion.

##### The Final Rule Should Not Use the Ambiguous Phrase “Does Not Hear From You”

One commenter suggested, in the context of § 2.5, that the use of “does not hear from you” was ambiguous. The Department has adopted this suggestion