1.19 Document supply fees.

* * * * *

(b) Document supply fees.

(1) * * *

(iv) If provided to a foreign intellectual property office pursuant to a priority document exchange agreement (see §1.14(h)(1)).. 0.00

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3. Section 1.19 is amended by adding paragraph (b)(1)(iv) to read as follows:

§1.19 Document supply fees.

* * * * *

(b) Document supply fees.

(1) * * *

(iv) If provided to a foreign intellectual property office pursuant to a priority document exchange agreement (see §1.14(h)(1))... 0.00

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4. Section 1.55 is amended by adding a new paragraph (d) to read as follows:

§1.55 Claim for foreign priority.

* * * *

(d)(1) The requirement in this section for the certified copy of the foreign application will be considered satisfied if:

(i) The applicant files a request, in a separate document, that the Office obtain a copy of the foreign application from a foreign intellectual property office participating with the Office in a bilateral or multilateral priority document exchange agreement (participating foreign intellectual property office (see §1.14(h)(1));

(ii) The foreign application is identified in the oath or declaration (§1.63(c)) or an application data sheet (§1.76(a)(6)); and

(iii) The copy of the foreign application is received by the Office within the period set forth in paragraph (a) of this section. Such a request should be made within the later of four months from the filing date of the application or sixteen months from the filing date of the foreign application.

(2) If the foreign application was filed at a foreign intellectual property office that is not participating with the Office in a priority document exchange agreement, but a copy of the foreign application was filed in an application subsequently filed in a participating foreign intellectual property office, the request under paragraph (d)(1)(i) of this section must identify the participating foreign intellectual property office and the application number of the subsequent application in which a copy of the foreign application was filed.

Dated: December 18, 2006.

Jon W. Dudas,
Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. E7–113 Filed 1–9–07; 8:45 am]

BILLING CODE 3510–16–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62


Approval and Promulgation of Plans for Designated Facilities; New Jersey; Delegation of Authority

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a request from the New Jersey Department of...
Environmental Protection (NJDEP) for delegation of authority to implement and enforce the following three Federal plans: Municipal Solid Waste Landfills (MSW Landfills); Hospital/Medical/Infectious Waste Incinicators (HMIWI); and Small Municipal Waste Combustion Units (Small MWC). On November 8, 1999, August 15, 2000 and January 31, 2003 respectively, EPA promulgated the Federal plans for MSW Landfills, HMIWI and Small MWCs to fulfill the requirements of sections 111(d)/129 of the Clean Air Act (CAA). The Federal plans impose emission limits and control requirements for existing affected facilities located in areas not covered by an approved and currently effective State plan.

On May 15, 2006, NJDEP signed Memorandums of Agreement (MOAs) which act as the mechanism for the transfer of EPA authority to NJDEP. The intended effect is to approve MOAs that define the policies, responsibilities, and procedures by which the Federal plans for MSW Landfills, HMIWI and Small MWCs will be administered on behalf of EPA by NJDEP. EPA proposed approval of NJDEP’s delegation request on August 31, 2006.

DATES: Effective Date: This rule will be effective February 15, 2007.

ADDRESSES: Copies of the state submittal(s) are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region 2 Office, Air Programs Branch, 290 Broadway, 25th Floor, New York, New York 10007–1866.

New Jersey Department of Environmental Protection, Office of Energy, Bureau of Air Quality Planning, 401 East State Street, CN027, Trenton, New Jersey 08625.


SUPPLEMENTARY INFORMATION: The Environmental Protection Agency (EPA) is approving the New Jersey Department of Environmental Protection’s (NJDEP’s) request for delegation of authority of three Federal plans. The following table of contents describes the format for this SUPPLEMENTARY INFORMATION section.

I. What Action Is EPA Taking Today?

EPA is approving NJDEP’s request for delegation of authority to implement and enforce three Federal plans and to adhere to the terms and conditions prescribed in the Memorandums of Agreement (MOAs) signed between EPA and NJDEP, as further explained below. NJDEP requested delegation of authority of the following three Federal plans: Municipal Solid Waste Landfills (MSW Landfills); Hospital/Medical/Infectious Waste Incinicators (HMIWI); and Small Municipal Waste Combustion Units (Small MWC). The Federal plans were promulgated by EPA to implement emission guidelines pursuant to sections 111(d) and 129 of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. (CAA). The purpose of this delegation is to acknowledge NJDEP’s ability to implement a program and to transfer primary implementation and enforcement responsibility from EPA to NJDEP for existing sources of MSW Landfills, HMIWI and Small MWC. While NJDEP is delegated the authority to implement and enforce the three Federal plans, nothing in the delegation agreement shall prohibit EPA from implementing and enforcing the Federal plans for MSW Landfills, HMIWI and Small MWC.

II. What Are the Details of EPA’s Specific Action?

On May 13, 2005, NJDEP submitted to EPA a request for delegation of authority from EPA to implement and enforce the Federal plans for existing MSW Landfills, HMIWI and Small MWC. EPA prepared the MOAs that define the policies, responsibilities, and procedures by which the Federal plans will be administered by both NJDEP and EPA, pursuant to the following:


On April 24, 2006, Alan J. Steinberg, EPA Region 2 Administrator, signed the three MOAs and forwarded them to NJDEP for signature. On May 15, 2006, Lisa P. Jackson, NJDEP Commissioner, signed the MOAs, thereby agreeing to the terms and conditions of the MOAs and accepting responsibility to implement and enforce the policies, responsibilities and procedures of the Federal plans for MSW Landfills, HMIWI, and Small MWC. The transfer of authority to NJDEP became effective on May 15, 2006. EPA proposed approval on August 31, 2006 (71 FR 51790).

III. What Comments Were Received and How Has EPA Responded to Them?

There were no comments received on EPA’s proposed approval of NJDEP’s request for delegation of the three Federal plans.

IV. What Are EPA’s Conclusions?

For reasons described in this action and in EPA’s proposal action, EPA is approving NJDEP’s request for delegation of the three Federal plans. For further details, the reader is referred to the proposal action.

V. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this 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 action approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this 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 rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4).

This 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).
Risks and Safety

U.S.C. 801

U.S.C. 3501

Paperwork Reduction Act of 1995 (44

burden under the provisions of the

not impose an information collection

and procedures for MSW Landfills,

HMIWIs and Small MWCs.

(d) The delegation became fully
effective on May 15, 2006, the date the
MOAs were signed by the NJDEP
Commissioner.

[FR Doc. E7–413 Filed 1–12–07; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 239 and 258


Adequacy of Nebraska Municipal Solid Waste Landfill Program; Withdrawal of Direct Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Because EPA received adverse comment, we are withdrawing the direct final rule for Adequacy of Nebraska Municipal Solid Waste Landfill Program, published on November 16, 2006.

DATES: Effective January 16, 2007, EPA withdraws the direct final rule.