

Rules and Regulations

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1258

[FDMS Docket NARA-07-0002]

RIN 3095-AB49

NARA Reproduction Fees

AGENCY: National Archives and Records Administration (NARA).

ACTION: Final rule.

SUMMARY: NARA is revising its regulations relating to reproduction of records and other materials in the custody of the Archivist of the United States. We have determined that it is not appropriate to include in those regulations the reproduction of records of other Federal agencies stored in NARA Federal records centers that are not in our legal custody. This final rule will affect individuals and Federal agencies who request copies of Federal agency records in NARA Federal records centers.

DATES: *Effective date:* May 29, 2007.

FOR FURTHER INFORMATION CONTACT:

Jennifer Davis Heaps at 301-837-1850 or fax at 301-837-0319.

SUPPLEMENTARY INFORMATION: On February 26, 2007, NARA published an interim final rule (72 FR 8279) for a 60-day public comment period removing records center holdings from our reproduction fee schedule. We received one responsive comment on the interim final rule. Other comments received through www.regulations.gov in the interim final rule docket were nonresponsive because they related to the NARA proposed rule published in the **Federal Register** on the same day. We have transferred those comments to the proposed rule docket and will consider them as part of that rulemaking. The individual who commented on the interim final rule expressed concern about the absence of

set fees for copies of agency records from the NARA fee schedule. The commenter asked who would determine the reproduction fees and how would the fees be set. We did not adopt this comment because records stored in NARA's records centers still belong to the agencies that created them. As explained in the interim final rule, NARA provides copies according to the owning agency's instructions; the agency, not NARA, must determine the extent to which reproduction costs will be borne by the agency or the agency's customer.

This final rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, I certify that this rule will not have a significant impact on a substantial number of small entities because it affects individual researchers. This regulation does not have any federalism implications. This rule is not a major rule as defined in 5 U.S.C. Chapter 8, Congressional Review of Agency Rulemaking.

List of Subjects in 36 CFR Part 1258

Archives and records.

PART 1258—FEES

■ Accordingly, the interim final rule amending 36 CFR part 1258 which was published at 72 FR 8279 on February 26, 2007, is adopted as a final rule without change.

Dated: May 23, 2007.

Allen Weinstein,

Archivist of the United States.

[FR Doc. E7-10359 Filed 5-25-07; 8:45 am]

BILLING CODE 7515-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R07-OAR-2006-0973; FRL-8318-6]

Approval and Promulgation of Implementation Plans; State of Kansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving revisions to Kansas' State Implementation Plan (SIP)

to include updates to its Prevention of Significant Deterioration (PSD) of Air Quality rule, which incorporate portions of the New Source Review (NSR) program promulgated by the Environmental Protection Agency in December 2002. Specifically, these revisions adopt by reference provisions of 40 CFR 52.21 as in effect July 1, 2004, except for subsections with references to the clean unit exemptions, pollution control projects, and the record keeping provisions for the actual-to-projected-actual emissions applicability test. Kansas did not adopt the latter provisions because of the June 2005 decision by the United States Court of Appeals for the District of Columbia Circuit, which vacated the clean unit exemption and pollution control project provisions and remanded back to EPA the record keeping provisions for the actual-to-projected-actual emissions applicability test. We proposed to approve the revisions on January 31, 2007, and received no comments on the proposal.

DATES: This rule is effective on June 28, 2007.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-R07-OAR-2006-0973. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. The Regional Office's official hours of business are Monday through Friday, 8:00 to 4:30 excluding Federal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Gina Grier at (913) 551-7078, or by e-mail at grier.gina@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we", "us", or "our" is used, we mean