

requester of its decision. If a request for expedited treatment is granted, the request shall be given priority and shall be processed as soon as practicable. If a request for expedited processing is denied, any appeal of that decision will be acted on expeditiously.

**§ 1401.35 [Amended].**

9. Amend § 1401.35 by removing the term "Deputy Director" wherever it appears in paragraphs (a), (b), and (c) and by adding the term "Chief of Staff" in its place.

10. Amend § 1401.36 as follows:

A. Remove the word "the" between "forgoing" and "scheduling" and add the words "other than those related to arbitration" between "services" and "which" in § 1401.36(b)(2)(i).

B. Revise paragraphs (a)(2), (3) and (4), (b)(1)(i), (ii), (iv), (b)(2)(ii), (b)(3)(v) and (b)(4) as follows:

**§ 1401.36 Freedom of Information Act fee schedules.**

(a) \* \* \*

(2) *Search* means the process of looking for and retrieving records or information responsive to a request. It includes page-by-page or line-by-line identification of information within records and also includes reasonable efforts to locate and retrieve information from records maintained in electronic form or format.

(3) *Duplication* refers to the process of making a copy of a document necessary to respond to a FOIA request. Copies may be in various forms including machine-readable documentation (e.g. magnetic tape or disk) among others. A requester's specified preference of form or format of disclosure will be honored if the record is readily reproducible with reasonable efforts in the requested form or format.

(4) *Review* refers to the process of examining documents located in response to a request that is for commercial use, to determine whether a document or any portion of any document located is permitted to be withheld. It includes processing any documents for disclosure to the requester, e.g., doing all that is necessary to excise them or otherwise prepare them for release. It does not include time spent resolving general legal or policy issues regarding the applicability of particular exemptions or reviewing on appeal exemptions that are applied. However, records or portions withheld in full under an exemption that is subsequently determined not to apply may be reviewed again to determine the applicability of other exemptions not previously considered.

The costs for such a subsequent review is assessable.

\* \* \* \* \*

(b) Fee schedules and waivers.

\* \* \* \* \*

(1) \* \* \*

(i) *Clerical time*. For each one-quarter hour or portion thereof of clerical time, \$4.00.

(ii) *Professional time*. For each one-quarter hour or portion thereof of profession time, \$10.00.

(iii) \* \* \*

(iv) *Computer time*. For computer searches of records, requestors will be charged the direct costs of conducting the search (as provided in paragraph (b)(3)(i)), although certain requestors will be charged no search fee (as provided in paragraph (b)(3)(ii) and (iii)), and certain other requestors will be entitled to the cost equivalent of two hours of manual search time without charge (as provided in paragraph (b)(3)(iv)). These direct costs will include the cost of operating a central processing unit for that portion of operating time that is directly attributable to the searching for responsive records, as well as the costs of operator/programmer salary attributable to the search. Computer time expressed in fractions of minutes will be rounded to the next whole minute.

\* \* \* \* \*

(2) \* \* \*

(ii) For those matters coming within the scope of this regulation, the FMCS will look to the provisions of the guidance published by in the Office of Management and Budget's Uniform Fee Schedule and Guidelines (available at <http://www.whitehouse.gov/omb/inforeg/infopoltech.html>) and the Department of Justice Attorney General's Memorandum on the 1986 Amendments to the Freedom of Information Act (available at [http://www.usdoj.gov/04foia/04\\_7.html](http://www.usdoj.gov/04foia/04_7.html)) for making such interpretations as necessary.

(3) \* \* \*

(v) In no event shall fees be charged when the total charges are less than \$14.00, which is the Agency cost of collecting and processing the fee itself. If the request is expected to involve an assessed fee in excess of \$14.00, the response shall specify or estimate the fee involved before the records are made available.

(4) *Waiver or reduction of charge*. A fee waiver must be requested at the same time that a request for records is made. The requester should provide an explanation of why the waiver is appropriate. If the request for a waiver

or reduction is denied, the denial may be appealed to FMCS' Chief of Staff. In the appeal letter, the requester should discuss whatever reasons are given in the denial letter. Documents may be furnished without charge or at reduced levels if FMCS determines that disclosure of the information is in the public interest; that is, because it is likely to contribute significantly to public understanding of the operations or activities of the Government and is not primarily in the commercial interest of the requester.

\* \* \* \* \*

**§ 1401.37 [Removed]**

11. Remove § 1401.37.

Dated: July 26, 2007.

**Michael J. Bartlett,**

*Deputy General Counsel.*

[FR Doc. E7-14818 Filed 8-2-07; 8:45 am]

BILLING CODE 6732-01-P

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**ARCHITECTURAL AND  
TRANSPORTATION BARRIERS  
COMPLIANCE BOARD**

**36 CFR Parts 1193 and 1194**

**Telecommunications Act Accessibility  
Guidelines; Electronic and Information  
Technology Accessibility Standards**

**AGENCY:** Architectural and Transportation Barriers Compliance Board.

**ACTION:** Notice of meeting.

**SUMMARY:** The Architectural and Transportation Barriers Compliance Board (Access Board) has established a Telecommunications and Electronic and Information Technology Advisory Committee (Committee) to assist it in revising and updating accessibility guidelines for telecommunications products and accessibility standards for electronic and information technology. This notice announces the dates, times, and location of two upcoming conference calls.

**DATES:** The conference calls are scheduled for August 21 and August 28, 2007 (beginning at 1 p.m. and ending at 3 p.m. Eastern time each day).

**ADDRESSES:** Individuals can participate in the conference calls by dialing into the teleconference numbers which will be posted on the Access Board's Web site at: <http://www.access-board.gov/sec508/update-index.htm>. Individuals may also participate in the conference calls at the Access Board's offices at 1331 F Street, NW., suite 1000, Washington, DC 20004-1111.

**FOR FURTHER INFORMATION CONTACT:**

Timothy Creagan, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC 20004-1111.

Telephone number: 202-272-0016 (Voice); 202-272-0082 (TTY).

Electronic mail address:

[creagan@access-board.gov](mailto:creagan@access-board.gov).

**SUPPLEMENTARY INFORMATION:** The Architectural and Transportation Barriers Compliance Board (Access Board) established the

Telecommunications and Electronic and Information Technology Advisory Committee (Committee) to assist it in revising and updating accessibility guidelines for telecommunications products and accessibility standards for electronic and information technology. The next committee meetings will take place on August 21 and August 28, 2007 (both meetings will be from 1 p.m. to 3 p.m. Eastern time) by teleconference. The meeting on August 21 will focus on reports and recommendations from the Documentation and Technical Support subcommittee. The meeting on August 28 will focus on reports and recommendations from the Audio-Video subcommittee. The agendas, instructions (including information on captioning), and dial in telephone numbers for the teleconferences are available at <http://www.access-board.gov/sec508/update-index.htm>. Notices of future meetings will be published in the **Federal Register**.

The conference calls are open to the public and interested persons can dial into the teleconferences and communicate their views. Members of the public will have opportunities to address the committee on issues of interest to them and the committee during public comment periods scheduled during each conference call.

Participants may call into the teleconferences from any location of their choosing. However, all participants must pre-register for each call. This will allow the Access Board to better manage the teleconferences and to provide additional information as needed. Any persons intending to participate must notify Timothy Creagan at [creagan@access-board.gov](mailto:creagan@access-board.gov) by August 15 of their intent to attend the August 21 teleconference and by August 22 of their intent to attend the August 28 teleconference. The Access Board has very limited space at its office which will be available during the conference calls. Anyone wishing to participate on the call at the Access Board must contact Timothy Creagan by these dates to pre-register. Sign language

interpreters, an assistive listening system, and real-time captioning will be provided at the Access Board's offices during the teleconferences. For the comfort of other participants, persons attending the teleconferences at the Access Board's offices are requested to refrain from using perfume, cologne, and other fragrances.

**James J. Raggio,**

*General Counsel.*

[FR Doc. E7-15062 Filed 8-2-07; 8:45 am]

**BILLING CODE 8150-01-P**

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 3

[EPA-HQ-OEI-2003-0001; FRL-8449-9]

RIN 2025-AA07

### Extension of Cross-Media Electronic Reporting Rule Deadline for Authorized Programs

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to amend the Final Cross-Media Electronic Reporting Rule (CROMERR) deadline for authorized programs (states, tribes, or local governments) with existing electronic document receiving systems to submit an application for EPA approval to revise or modify their authorized programs. This action proposes to extend the current October 13, 2007, deadline until October 13, 2008. Additionally, in the "Rules and Regulations" section of this **Federal Register**, EPA is making this revision as a direct final rule without a prior proposed rule. If the Agency receives no relevant adverse comment, EPA will not take further action on this proposed rule.

**DATES:** Written comments must be received by September 4, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OEI-2003-0001, by mail to CROMERR Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Evi Huffer, Office of Environmental

Information (2823T), Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; (202) 566-1697; [huffer.evi@epa.gov](mailto:huffer.evi@epa.gov), or David Schwarz, Office of Environmental Information (2823T), Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; (202) 566-1704; [schwarz.david@epa.gov](mailto:schwarz.david@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. What Does This Rule Do?

This rule proposes to provide temporary regulatory relief to states, tribes, and local governments with "authorized programs" as defined in 40 Code of Federal Regulations (CFR) § 3.3. Any such authorized program that operates an "existing electronic document receiving system" as defined in 40 CFR 3.3 will have an additional year to submit an application to revise or modify its authorized program to meet the requirements of 40 CFR part 3. Specifically, this rule proposes to amend 40 CFR 3.1000(a)(3) by extending the October 13, 2007, deadline to October 13, 2008.

### II. Why Is EPA Issuing This Proposed Rule?

EPA proposes to extend the current due date for submitting applications under CROMERR for authorized programs with existing electronic document receiving systems, and imposes no additional requirements beyond those imposed by the underlying final rule (70 FR 59848, October 13, 2007). EPA has published a direct final rule in the "Rules and Regulations" section of this **Federal Register** because EPA views this as a noncontroversial action and anticipates no adverse comment. We have explained our reasons for this action in the preamble to the direct final rule.

If EPA receives no adverse comment, the Agency will not take further action on this proposed rule. If EPA receives adverse comment, the Agency will withdraw the direct final rule and it will not take effect. EPA will address all relevant public comments in any subsequent final rule based on this proposed rule.

EPA will not institute a second comment period on this action. Any parties interested in commenting on this proposed rule or the direct final rule listed elsewhere in today's **Federal Register** must do so at this time. For further information about commenting, please see the **ADDRESSES** section of this document.