

economic impact on a substantial number of small entities. This rule implements the Freedom of Information Act (5 U.S.C. 552), a statute concerning the release of Federal Government records, and does not economically impact Federal Government relations with the private sector.

**Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 35)**

It has been certified that this part does not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995.

**List of Subjects in 32 CFR Part 285**

Freedom of Information.

Accordingly, 32 CFR part 285 is proposed to be revised to read as follows:

**PART 285—DOD FREEDOM OF INFORMATION ACT (FOIA) PROGRAM**

Sec.

- 285.1 Purpose.
- 285.2 Applicability and scope.
- 285.3 Policy.
- 252.4 Responsibilities.
- 285.5 Information requirements.

**Authority:** 5 U.S.C. 552.

**§ 285.1 Purpose.**

This part:

(a) Update policies and responsibilities for the implementation of the DOD FOIA Program under 5 U.S.C. 552.

(b) Continues to delegate authorities and responsibilities for the effective administration of the FOIA program.

**§ 285.2 Applicability and scope.**

(a) This part applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

(b) National Security Agency/Central Security Service records are subject to this part unless the records are exempt under 50 U.S.C. 401 note. The records of the Defense Intelligence Agency, National Reconnaissance Office, and the National Imagery and Mapping Agency are also subject to this part unless the records are exempt under 10 U.S.C. 424.

**§ 285.3 Policy.**

It is DoD policy to:

(a) Promote public trust by making the maximum amount of information available to the public, in both hardcopy and electronic formats, on the operation and activities of the Department of

Defense, consistent with DOD's responsibility to ensure national security.

(b) Allow a requester to obtain agency records from the Department of Defense that are available through other public information services without invoking the FOIA.

(c) Make available, under the procedures established by 32 part 286, those agency records that are requested by a member of the general public who cites the FOIA.

(d) Answer promptly all other requests for information, agency records, objects, and articles under established procedures and practices.

(e) Release agency records to the public unless those records are exempt from mandatory disclosure as outlined in 5 U.S.C. 552.

(f) Process requests by individuals for access to records about themselves under the Privacy Act procedures as implemented by DOD Directive 5400.11<sup>1</sup>, and procedures outlined in this part as amplified by 32 CFR part 286.

**§ 285.4 Responsibilities.**

(a) The Assistant Secretary of Defense for Public Affairs (ASD (PA)) shall:

(1) Direct and administer the DOD FOIA Program to ensure compliance with policies and procedures that govern the administration of the program.

(2) Issue a DOD FOIA regulation and other discretionary instructions and guidance to ensure timely and reasonably uniform implementation of the FOIA in the Department of Defense.

(3) Internally administer the FOIA Program for OSD, the Chairman of the Joint Chiefs of Staff and, as an exception to DOD Directive 5100.3<sup>2</sup>, the Combatant Commands.

(4) As the designee of the Secretary of Defense, serve as the sole appellate authority for appeals to decisions of respective Initial Denial Authorities within OSD, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, and the DOD Field Activities.

(b) The General Counsel, Department of Defense shall provide uniformity in the legal interpretation of this part.

(c) The Heads of DOD Components shall:

(1) Publish in the **Federal Register** any instructions necessary for the internal administration of this part within a DOD Component that are not

<sup>1</sup> Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup> See footnote 1 to § 285.3 (f).

prescribed by this part or by other issuances of the ASD(PA). For the guidance of the public, the information specified in 5 U.S.C. 552(a)(1) shall be published in accordance with DOD Directive 5400.9<sup>3</sup>.

(2) Conduct training on the provisions of this part, 5 U.S.C. 552, and 32 CFR part 286 for officials and employees who implement the FOIA.

(3) Submit the report prescribed in Chapter 7 of DOD 5400.7-R.<sup>4</sup>

(4) Make available for public inspection and copying in an appropriate facility or facilities, in accordance with rules published in the **Federal Register** the records specified in 5 U.S.C. 552(a)(2) unless such records are published and copies are offered for sale.

(5) Maintain and make available for public in inspection and copying current indices of these records are required by U.S.C. 552.

**§ 285.5 Information requirements.**

The reporting requirements in Chapter 7 of DOD 5400.7-R have been assigned Report Control Symbol DD-PA(A) 1365.

Dated: April 29, 1997.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer.*

[FR Doc. 97-11599 Filed 5-9-97; 8:45 am]

BILLING CODE 5000-04-M

**POSTAL SERVICE**

**39 CFR Parts 111 and 502**

**Manufacture, Distribution, and Use of Postal Security Devices and Information Based Indicia**

**AGENCY:** Postal Service.

**ACTION:** Correction to notice of proposed rule.

**SUMMARY:** The original document (62 FR 14833; March 28, 1997) included an incorrect date and an incorrect statement of reference.

**DATES:** Comments on the proposed policies must be received on or before June 30, 1997.

**SUPPLEMENTARY INFORMATION:** For purposes of clarification, the proposed policies and regulations apply to all computer based (open) systems. In addition, they apply to all other technologies that could incorporate the new secure features of an Information Based Indicia, and are specifically

<sup>3</sup> See footnote 1 to § 285.3(f)

<sup>4</sup> See footnote 1 to § 285.3(f)

submitted as such to the Postal Service by a Product/Service Provider.

Section 502.30 *Provider Infrastructure* (published in the **Federal Register** of March 28, 1997, on page 14842, incorrectly references the Information Based Indicia Program Product/Service Provider Infrastructure Specifications. The first sentence of § 502.30 is hereby corrected as follows: "The Provider must establish and maintain an interface to USPS systems."

These proposed regulation changes are not intended to change any of the current published requirements for the approval and distribution of postage meters (closed systems).

The rest of the document was correct as published.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 97-12268 Filed 5-9-97; 8:45 am]

BILLING CODE 7710-12-U

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## ENVIRONMENTAL PROTECTION AGENCY

**40 CFR Parts 60, 63, 260, 261, 264, 265, 266, 270, and 271**

[FRL-5824-3]

### Revised Technical Standards for Hazardous Waste Combustion Facilities; Correction

**ACTION:** Notice of data availability; correction.

**SUMMARY:** The Environmental Protection Agency published a notice of data availability and invitation for comment in the **Federal Register** of May 2, 1997, on the following information pertaining to the proposed revised standards for hazardous waste combustors (61 FR 17358 (April 19, 1996)): Report on the status of setting national emission standards for hazardous air pollutants (NESHAPS) based on the revised emissions database; report on the selection of pollutants and source categories, including area and major sources; report on the status of various implementation issues, including compliance dates, compliance requirements, performance testing, and notification and reporting requirements; and report on the status of permit requirements, including waste minimization incentives. The notice inadvertently omitted four paragraphs and contained six incorrect numbers.

#### FOR FURTHER INFORMATION CONTACT:

Larry Denyer, Office of Solid Waste (5302W), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, 703-308-8770, e-mail address: denyer.larry@epamail.epa.gov.

## Correction

In the **Federal Register** issue of May 2, 1997, in FR Vol. 62, No. 85, insert the following four paragraphs of text between the last paragraph on page 24240 and the first paragraph on page 24241:

Option 1: Eliminate DRE Testing Except for Potentially Problematic Sources. Under this option, DRE testing would be waived for all sources, except those that are considered to be potentially problematic—sources that inject hazardous waste into the combustor at locations other than the flame zone. Thus, for example, the source discussed above that injected waste into an unfired afterburner (and failed to achieve 99.99% DRE at low CO and HC levels) would be required to perform DRE testing under this option.

Option 2: Single DRE Test for All Sources or Only for Potentially Problematic Sources. Under this option, either all or only potentially problematic sources (as defined above) would be required to perform a single DRE test, unless the facility undergoes a major modification of pollution control equipment, process change, or waste feed composition that could significantly affect combustion performance. We request comment on how to determine when such a change is about to occur and thus trigger the need for a DRE test. One approach is to rely on the requirements for applying for a revised Title V or RCRA permit modification (Class 2 or 3) to identify changes warranted a DRE re-test.

Option 3: Periodic DRE Testing for All Sources or Only for Potentially Problematic Sources. Under this option, all or specific sources must perform a periodic demonstration of DRE. Potential frequencies under consideration are a five, ten or twenty year frequency. The purpose of these tests would be to confirm that the unit is still achieving a high level of combustion performance over the life of the unit. As for option 2, a DRE test would have to be performed at any time that a major change to the facility occurred that could significantly affect combustion performance.

The Agency specifically invites comment on these options for waiving DRE testing. In addition, note that these options are not mutually exclusive.

## Correction

In the **Federal Register** issue of May 2, 1997, in FR Vol. 62, No. 85, on page 24232, in the last paragraph, in two different sentences, correct the number 15 to read: 20.

## Correction

In the **Federal Register** issue of May 2, 1997, in FR Vol. 62, No. 85, on page 24232, in the last paragraph, correct the number 33 to read: 47.

## Correction

In the **Federal Register** issue of May 2, 1997, in FR Vol. 62, No. 85, on page 24233, in the first partial paragraph, correct the number 15 to read: 20.

## Correction

In the **Federal Register** issue of May 2, 1997, in FR Vol. 62, No. 85, on page 24233, in the third full paragraph, correct the number 15 to read: 20.

## Correction

In the **Federal Register** issue of May 2, 1997, in FR Vol. 62, No. 85, on page 24233, in the third full paragraph, correct the number 33 to read: 47.

Dated: May 5, 1997.

**Elizabeth Cotsworth,**

*Acting Director, Office of Solid Waste.*

[FR Doc. 97-12377 Filed 5-9-97; 8:45 am]

BILLING CODE 6560-50-P

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[AD-FRL-5824-5]

### National Emission Standards for Hazardous Air Pollutants: Source Category List

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

**ACTION:** Advance notice of proposed rulemaking (ANPR).

**SUMMARY:** The Clean Air Act (Act) requires the EPA to list (for regulation under section 112 of the Act) all categories of major sources of hazardous air pollutants (HAP's), and categories of area sources if they present a threat of adverse effects to human health or the environment. The EPA has listed many sources categories, but has yet to list or regulate research and development (R&D) facilities. Today's notice provides advance notice that the EPA intends to list R&D, and solicits comments and information on the best way to list and regulate such sources.

**DATES:** *Comments.* Comments must be received on or before June 11, 1997.

**ADDRESSES:** *Comments.* Comments should be submitted (in duplicate) to: Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-97-11, U.S.