

**§ 1151.6 Committees.**

(a) *Executive Committee*—(1) *Establishment.* The Board shall have an Executive Committee to serve as a leadership and coordinating committee. The Executive Committee acts on behalf of the Board in between regularly scheduled Board meetings as necessary and as authorized by delegation of the Board. In addition, the Executive Committee has the following duties and responsibilities:

- (i) To review and consider recommendations and proposals from the various subject matter committees;
- (ii) To review and make recommendations to the Board to amend or approve the Board's bylaws; and
- (iii) To request and review all committee charters.

(2) *Chair.* The Vice-Chair of the Board shall serve as Chair of the Executive Committee.

(3) *Membership.* The Executive Committee shall be composed of a minimum of six members, three Federal and three public members, which shall include the Chair and the Vice-Chair of the Board, the chairs of each of the subject matter committees, and two at large members. The two at large members shall balance the number of Federal and public members and shall be elected by the Board after the election of the Chair and Vice-Chair of the Board and the chairs of the subject matter committees. In the event that the Board should establish three or more subject matter committees, additional at-large members shall be elected as necessary to balance the Federal and public membership of the committee.

(4) *Quorum.* A quorum in the Executive Committee shall be a majority of the membership, present at the meeting. In the absence of their Federal member, the liaison may count toward a quorum. If a quorum is not present, a meeting can be held only for the purpose of discussion and no vote may be taken.

(5) *Voting.* (i) The presiding officer shall have the same right to vote as any other member.

(ii) On matters subject to Board review, liaisons are permitted to vote in the absence of their Federal member. A majority vote of the members (or liaisons) present at the meeting and any directed or undirected proxies is necessary for action by the committee.

(iii) On matters of final action, not subject to Board review, a majority vote of the membership of the committee, present at the meeting or by directed proxy, is necessary for action by the committee. In the absence of their Federal member, liaisons are permitted to cast a directed proxy only.

(b) *Subject matter committees*—(1) *Establishment.* The Board may establish or dissolve subject matter committees by a two-thirds vote of the members present and any proxies.

(2) *Chair.* The Chair of a subject matter committee shall be elected by the Board after the election of the Chair and Vice-Chair of the Board and shall serve as a member of the Board's Executive Committee.

(3) *Membership.* Each subject matter committee shall be comprised of a minimum of seven, and a maximum of nine, members. Except for the Chair of the committee who is elected by the Board, the members of the committee shall be appointed by the Chair of the Board. Members shall serve a term of one year corresponding to that of the Chair of the Board, and continue their duties until their successors have been appointed.

(4) *Quorum.* A quorum shall be a majority of the actual membership of the committee. A liaison may represent the Federal member for purposes of a quorum. If a quorum is not present, a meeting shall be held only for the purpose of discussion and no vote may be taken.

(5) *Voting.* Directed or undirected proxies are permitted. In the absence of their Federal member, liaisons are permitted to vote on all matters which are subject to review by the full Board. The presiding officer shall have the same right to vote as any other member. A majority vote of the members (or liaisons) present at the meeting and any directed or undirected proxies is necessary for action by the committee.

(c) *Special committees.* The Chair, the Board, the Executive Committee or a subject matter committee may appoint a special committee to carry out a specific task. A special committee shall dissolve upon completion of its task or when dissolved by its creator. A special committee shall be governed by the same rules and procedures applicable to subject matter committees unless other rules or procedures are approved by the creator of the committee.

(d) *Telecommunications.* A member of a committee shall be considered present at a meeting when he or she participates in person or by conference telephone or similar communication equipment which enables all persons participating in the meeting to communicate with each other.

(e) *Charter.* With the exception of a Committee of the Whole, each committee shall establish a charter and may establish any additional procedures provided that they do not conflict with the provisions of the bylaws in this part.

(f) *Procedure.* Committee meetings shall be held in accordance with Robert's Rules of Order, except as otherwise prescribed in the bylaws in this part or committee charters.

(g) *Records.* Committees shall maintain written records of the meetings.

**§ 1151.7 Amendments to the bylaws.**

In order to amend the bylaws in this part, a vote of two-thirds of the membership of the Board (as fixed by statute) at the time the vote is taken shall be required. The Board shall not suspend the rules in taking any action concerning adoption, amendment or rescision of the bylaws in this part except that by vote of two-thirds of the membership of the Board (as fixed by statute), an item concerning the adoption, amendment or rescision of the bylaws in this part may be placed on an agenda for Board consideration at a future meeting.

**PARTS 1153 AND 1155—[REMOVED]**

2. Parts 1153 and 1155 are removed.

[FR Doc. 98-767 Filed 1-12-98; 8:45 am]

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**LIBRARY OF CONGRESS****Copyright Office****37 CFR Part 203**

[Docket No. 97-7]

**Implementation of the Electronic Freedom of Information Act Amendments of 1996**

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Final regulations.

**SUMMARY:** The Copyright Office is issuing final regulations permitting public access to Office records created on or after November 1, 1996, in electronic format. These final regulations conform the Copyright Office's regulations to the requirements of the Freedom of Information Act (FOIA), as amended by the Electronic Freedom of Information Act Amendments of 1996 (EFOIA).

**EFFECTIVE DATE:** February 12, 1998.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Patricia L. Sinn, Senior Attorney, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202)707-8380. Fax: (202)707-8366.

**SUPPLEMENTARY INFORMATION:** The Copyright Office adopts final

regulations amending Part 203 of its regulations to implement the EFOIA, Pub. L. No. 104-231, 110 Stat. 3048 (1996), which amended the FOIA, 5 U.S.C. *et seq.* The Office is subject to the FOIA, which is part of the Administrative Procedure Act, under section 701(d) of title 17, U.S.C. Copyright Office regulations describe records and documents available for public inspection under the Copyright Act, the Privacy Act of 1974, and the FOIA. See 37 CFR 201.2, 203, 204.

The EFOIA, signed into law on October 2, 1996, contains amendments that address methods required to make agency records available to the public by electronic means and in electronic formats. This regulation revises several provisions of the Office's FOIA regulations under 37 CFR 203 to comply with provisions of the EFOIA. The final regulation also establishes a response period of 30 days within which appeals to denials for information must be made. Interim regulations with a request for comments were issued October 28, 1997. 62 FR 55740 (October 28, 1997). No comments were received. The interim regulations, together with the addition of the response period for appeals, are adopted as final regulations.

#### List of Subjects in 37 CFR Part 203

Freedom of Information Act, Policies and procedures.

#### Final Regulations

In consideration of the foregoing, the Copyright Office adopts the interim rule amending part 203 of 37 CFR, as published at 62 FR 55740 on October 28, 1997, with the following changes:

#### PART 203—FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

1. The authority citation for part 203 is revised to read as follows:

**Authority:** 17 U.S.C 702; 5 U.S.C 552, as amended.

2. Section 203.4 is amended by adding two new sentences at the end of paragraph (f) and revising the last sentence of paragraph (i)(2) to read as follows:

##### § 203.4 Methods of operation.

\* \* \* \* \*

(f) \* \* \* If a requestor wishes to appeal a denial of some or all of his or her request for information, he or she must make an appeal in writing within 30 calendar days of the date of the Office's denial. The request should be

directed to the General Counsel of the United States Copyright Office.

\* \* \* \* \*

(i) \* \* \*  
(2) \* \* \* Denials of requests for expedited processing may be appealed to the Office of the General Counsel.

Dated: January 7, 1998.

**David O. Carson,**

*General Counsel.*

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 82

[FRL-5949-4]

#### Protection of Stratospheric Ozone: Notice of Revocation of Certification of Refrigerant Reclamation Organization

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

**ACTION:** Notice of revocation.

**SUMMARY:** Through this action, EPA is announcing the revocation of certification of Omega Refrigerant Reclamation, an organization previously certified to reclaim refrigerant in accordance with the regulations promulgated at 40 CFR part 82, subpart F. Omega has locations in Whittier, CA; Irwindale, CA; and North Las Vegas, NV. Omega was issued a letter of revocation on December 18, 1997, that explained the basis for EPA's decision. Omega has not complied with the requirements established for refrigerant reclaimers pursuant to section 608 of the Clean Air Act Amendments (the Act). In accordance with 40 CFR 164 of those requirements, no person may sell or offer for sale for use as a refrigerant any class I or class II substance consisting wholly or in part of used refrigerant unless the substance has been reclaimed to at least the purity specified in the Air-Conditioning and Refrigeration Institute (ARI) Standard 700-1993, and that person has verified such purity using the analytical methodology prescribed in ARI 700-1993, set forth in 40 CFR 82.152(r) and 82.154(g)(1). Section 82.164(g) provides that failure to abide by any of the requirements of 40 CFR part 82, subpart F, including failure to meet the purity standard, may result in revocation of certification. Dennis R. O'Meara, President of Omega Refrigerant Reclamation, has been convicted of a criminal felony for selling and offering for sale a class I controlled substance for use as a refrigerant without reclaiming

the substance to at least the purity specified in ARI Standard 700-1993 and without verifying the stated purity using the analytical methodology prescribed in ARI 700-1993, as set forth in the Clean Air Act, Title 42, United States Code, section 7671c, and the regulations promulgated thereunder in 40 CFR 82.152 and 82.154(g)(1).

In accordance with 40 CFR 82.164(g), EPA revoked approval of all previously certified facilities of Omega Refrigerant Reclamation to reclaim refrigerants on December 18, 1997. In accordance with 40 CFR 154(h), class I or class II substances that consist in whole or in part of used refrigerant and that are reclaimed after December 18, 1997, by this reclaimer are prohibited from being sold or offered for sale for use as a refrigerant.

**DATES:** Omega Refrigerant Reclamation had its certification as a refrigerant reclaimer revoked, effective December 18, 1997.

**FOR FURTHER INFORMATION CONTACT:** Jake Johns, Program Implementation Branch, Stratospheric Protection Division, Office of Atmospheric Programs, Office of Air and Radiation (6205J), 401 M Street, SW., Washington, DC 20460, 202-564-9870. The Stratospheric Ozone Hotline at 800-296-1996 can also be contacted for further information.

Dated: December 23, 1997.

**Paul M. Stolpman,**

*Director, Office of Atmospheric Programs.*

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[KY-96-9801a; FRL-5946-8]

#### Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving a source specific revision to the Commonwealth of Kentucky's State implementation plan (SIP) for the Reynolds Metals Company. The revision was submitted to EPA on May 20, 1997, by the Commonwealth of Kentucky through the Kentucky Natural Resources and Environmental Protection Cabinet (KNREPC). The Reynolds Metals Company currently has a source-specific SIP that was approved on May 16, 1990.