subsection, the Judge shall issue a decision that constitutes the Judge’s final disposition of the proceedings. The decision shall be in writing and shall include all findings of fact and conclusions of law, and the reasons or bases for them, on all the material issues of fact, law or discretion presented by the record, and an order. The parties shall be notified of the Judge’s decision by the most expeditious means reasonably available. Service of the decision shall be by certified or registered mail, return receipt requested.

(2) Stay of plan provision. Notwithstanding §2700.60(b), a Judge shall retain jurisdiction over a request for a stay in an emergency response plan dispute proceeding. Within two business days following service of the decision, the operator may file with the judge a request to stay the inclusion of the disputed provision in the plan during the pendency of an appeal to the Commission pursuant to paragraph (g) of this section. The Secretary shall respond to the operator’s motion within two business days following service of the motion. The judge shall issue an order granting or denying the relief sought within two business days after the filing of the Secretary’s response.

(g) Review of decision. Any party may seek review of a Judge’s decision, including the Judge’s order granting or denying a stay, by filing with the Commission a petition for discretionary review pursuant to §2700.70. Neither an operator’s request for a stay nor the issuance of an order addressing the stay request affects the time limits for filing a petition for discretionary review of a Judge’s decision with the Commission under this subparagraph. The Commission shall act upon a petition on an expedited basis. If review is granted, the Commission shall issue a briefing order. Except as otherwise ordered or provided for herein, the provisions of §2700.75 apply. The Commission will not grant motions for extension of time for filing briefs, except under extraordinary circumstances.

§ 2700.69 Decision of the Judge.


Michael F. Duffy, Chairman, Federal Mine Safety and Health Review Commission.

[FR Doc. E7–557 Filed 1–17–07; 8:45 am]

BILLING CODE 6735–01–P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 356

[Docket No. BPD GRS 06–03]

Sale and Issue of Marketable Book-Entry Treasury Bills, Notes and Bonds—Securities Eligible for Purchase in Legacy Treasury Direct

AGENCY: Bureau of the Public Debt, Fiscal Service, Treasury.

ACTION: Final rule.

SUMMARY: This final rule provides that the Department of the Treasury may announce that certain marketable Treasury securities to be offered will not be eligible for purchase or holding in the Legacy Treasury Direct system. The Treasury is issuing this amendment to the auction rules because the Legacy Treasury Direct system will eventually be phased out.


FOR FURTHER INFORMATION CONTACT: Lori Santamorena (Executive Director) or Chuck Andreotta (Associate Director), Bureau of the Public Debt, Government Securities Regulations Staff, (202) 504–3632 or e-mail us at govsecreg@bpd.treas.gov.

SUPPLEMENTARY INFORMATION: The Uniform Offering Circular (“UOC”), in conjunction with the announcement for each auction, provides the terms and conditions for the sale and issuance in an auction to the public of marketable Treasury bills, notes and bonds.¹ There are three book-entry securities systems—the commercial book-entry system, TreasuryDirect ², and Legacy Treasury Direct ³—into which we issue marketable Treasury securities. The current UOC generally authorizes purchases of all types of marketable Treasury securities in any of the three book-entry systems. The Legacy Treasury Direct system, which was implemented in 1986, will eventually be phased out, leaving only the newer, online TreasuryDirect system as the system for purchasing marketable Treasury securities directly on the records of the Bureau of the Public Debt, Department of the Treasury. ² The commercial book-entry system will remain an option for all securities for those investors who want to purchase and hold their securities through a depository institution or dealer.

As we begin phasing out Legacy Treasury Direct, we plan to discontinue the practice of generally allowing all marketable Treasury securities being offered by Treasury to be purchased and held in this system. This final rule amendment states explicitly that we may announce that certain marketable securities to be offered will not be eligible for purchase or holding in Legacy Treasury Direct. Any such restriction will be included in that security’s offering announcement. This change will not affect any outstanding securities currently held in Legacy Treasury Direct.

Procedural Requirements

This final rule is not a significant regulatory action for purposes of Executive Order 12866. The notice and public procedures and delayed effective date requirements of the Administrative Procedure Act do not apply, under 5 U.S.C. 553(a)(2).

Since a notice of proposed rulemaking is not required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply.

The Office of Management and Budget previously approved the collections of information in this final amendment in accordance with the Paperwork Reduction Act under control number

¹The Uniform Offering Circular was published as a final rule on January 5, 1993 (58 FR 412). The circular, as amended, is codified at 31 CFR part 356. A final rule converting the UOC to plain language and making certain other minor changes was published in the Federal Register on July 28, 2004 (69 FR 45202).

² On September 30, 2005, Treasury issued a final amendment to the UOC to make the changes necessary to accommodate participation in Treasury marketable auctions for securities to be held in either the TreasuryDirect or the Legacy Treasury Direct system (70 FR 57347).

³ Legacy Treasury Direct was called TreasuryDirect from 1986 to 2005. The regulations for Legacy Treasury Direct are found at 31 CFR part 357. The regulations for TreasuryDirect are found at 31 CFR part 363.

¹ § 2700.69

2 31 CFR Part 356

3 31 CFR Part 357
No. 2
Treasury Circular, Public Debt Series

receiving system. See Department of the
Securities may be transferred from one
include adjustments for inflation.
amount. Par amounts of Treasury
marketable Treasury securities. We may
chapter) and part 363 of this chapter.

PART 356—SALE AND ISSUE OF
MARKETABLE BOOK-ENTRY
TREASURY BILLS, NOTES, AND
BONDS (DEPARTMENT OF THE
TREASURY CIRCULAR PUBLIC DEBT
SERIES NO. 1–93)

1. The authority citation for part 356
continues to read as follows:

Authority: 5 U.S.C. 301; 31 U.S.C. 3102 et

2. Amend §356.4 by revising the
introductory paragraph and paragraph
(c) to read as follows:

§356.4 What are the book-entry systems
in which auctioned Treasury securities may
be issued?

There are three book-entry securities
systems—the commercial book-entry
system, TreasuryDirect®, and legacy
TreasuryDirect®—into which we issue
marketable Treasury securities. We may
obtain and transfer securities in these
three book-entry systems at their par
amount. Par amounts of Treasury
inflation-protected securities do not
include adjustments for inflation.
Securities may be transferred from one
system to the other, unless the securities
are not eligible to be held in the
receiving system. See Department of the
Treasury Circular, Public Debt Series
No. 2–86, as amended (part 357 of this
chapter) and part 363 of this chapter.

(c) Legacy Treasury Direct. In this
system, we maintain the book-entry
securities of account holders directly on
the records of the Bureau of the Public
Debt, Department of the Treasury. Bids
for securities to be held in Legacy
Treasury Direct are generally submitted
directly to us, although such bids may
also be forwarded to us by a depository
institution or dealer. From time to time,
Treasury may announce that certain
securities to be offered will not be
eligible for purchase or holding in
Legacy Treasury Direct.


Donald V. Hammond,
Fiscal Assistant Security.

[FR Doc. 07–209 Filed 1–16–07; 1:47 pm]

BILLING CODE 4810–39–M

ENVIRONMENTAL PROTECTION
AGENCY

40 CFR Part 51


RIN 2060–AN34

Air Quality: Revision to Definition of
Volatile Organic Compounds—
Exclusion of HFE–7300

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

SUMMARY: This action revises EPA’s
definition of volatile organic
compounds (VOC) for purposes of
preparing State implementation plans
(SIPs) to attain the national ambient air
quality standards (NAAQS) for ozone
under title I of the Clean Air Act (CAA).
This revision would add
1,1,1,2,2,3,4,5,5,5-decafluoro-3-
methoxy-4-trifluoromethyl-pentane
(also known as HFE–7300 or L–14787 or
C2F5CF(OCH3)CF(CF3)3) to the list of
compounds excluded from the
definition of VOC on the basis that this
compound makes a negligible
contribution to tropospheric ozone
formation. If you use or produce HFE–
7300 and are subject to EPA regulations
limiting the use of VOC in your product,
limiting the VOC emissions from your
facility, or otherwise controlling your
use of VOC for purposes related to
attaining the ozone NAAQS, then you
will not count HFE–7300 as a VOC in
determining whether you meet these
regulatory obligations. This action may
also affect whether HFE–7300 is
considered as a VOC for State regulatory
purposes, depending on whether the
State relies on EPA’s definition of VOC.
As a result, if you are subject to certain
Federal regulations limiting emissions
of VOCs, your emissions of HFE–7300
may not be regulated for some purposes.

DATES: This final rule is effective on

ADDRESSES: The EPA has established
a docket for this action under Docket ID
No. EPA–HQ–OAR–2005–0124. All
documents in the docket are listed on the
Although listed in the index, some
information is not publicly available,
e.g., 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
www.regulations.gov or in hard copy at
the EPA Docket Center, EPA/DC, EPA
West, Room 3334, 1301 Constitution
Ave., NW., Washington, DC. The Public
Reading Room is open from 8:30 a.m. to
4:30 p.m., Monday through Friday,
excluding legal holidays. The telephone
number for the Public Reading Room is
(202) 566–1744, and the telephone
number for the Air Docket is (202) 566–
1742.

FOR FURTHER INFORMATION CONTACT:
David Sanders, Office of Air Quality
Planning and Standards, Air Quality
Strategies and Standards Division
(C539–02), Research Triangle Park, NC
27711; telephone (919) 541–3356; fax
number (919) 541–0824; or by e-mail at
sanders.dave@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does This Action Apply to Me?

This action applies to you if you are
a State that regulates VOC emissions as
precursors to ozone formation or if you
produce or use HFE–7300 or other
compounds for which HFE–7300 may
substitute. HFE–7300 has a variety of
potential uses including as a heat-
transfer fluid and substitute for ozone
depleting substances and substances
with high global warming potentials,
such as hydrofluorocarbons,
perfluorocarbons, and
perfluoropolyethers. HFE–7300 may be
used in azeotropic mixtures for use in
coating deposition, cleaning, and
lubricating applications.

II. Background

Tropospheric ozone, commonly
known as smog, occurs when VOC and
nitrogen oxides (NOX) react in the
atmosphere. Because of the harmful
health effects of ozone, EPA and State
governments limit the amount of VOC
and NOX that can be released into the
atmosphere. The VOC’s are those
compounds of carbon (excluding carbon
monoxide, carbon dioxide, carbonic
acid, metallic carbides or carbonates,
and ammonium carbonate) which form
ozone through atmospheric
photochemical reactions. Compounds of
carbon (also known as organic
compounds) have different levels of
reactivity—that is, they do not react at
the same speed or do not form ozone to
the same extent. It has been EPA’s
policy that organic compounds with a
negligible level of reactivity need not be
regulated to reduce ozone. The EPA
determines whether a given organic
compound has “negligible” reactivity by
comparing the compound’s reactivity to
the reactivity of ethane. The EPA lists
these compounds in its regulations (at
40 CFR 51.100(s)] and excludes them
from the definition of VOC. The