

under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This amendment does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Commandant Instruction M16475.ID and DHS Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(a), of the Instruction from further environmental documentation. Paragraph (34)(a) excludes regulatory actions that are editorial or procedural, such as those updating addresses. Under figure 2–1, paragraph (34)(a), of the Instruction, an Environmental Analysis Check List and a Categorical Exclusion Determination are not required for this technical amendment.

#### List of Subjects

##### 33 CFR Part 104

Maritime security, Reporting and recordkeeping requirements, Security measures, Vessels.

##### 33 CFR Part 120

Passenger vessels, Reporting and recordkeeping requirements, Security measures, Terrorism.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 104 and 120 as follows:

#### PART 104—VESSEL SECURITY

■ 1. The authority citation for part 104 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–11, 6.14, 6.16, and 6.19; Department of Homeland Security Delegation No. 0170.1.

##### § 104.400 [Amended]

■ 2. Amend § 104.400, by revising paragraph (b) to read as follows:

##### § 104.400 General.

\* \* \* \* \*

(b) The VSP must be submitted to the Commanding Officer (MSC), USCG Marine Safety Center, 1900 Half Street, SW., Suite 1000, Room 525, Washington, DC 20024 for visitors. Send all mail to Commanding Officer (MSC), United States Coast Guard, JR10–0525, 2100 2nd Street, SW., Washington, DC 20593, in a written or electronic format. Information for submitting the VSP electronically can be found at <http://www.uscg.mil/HQ/MSC>. Owners or operators of foreign flag vessels that are subject to SOLAS Chapter XI–1 or Chapter XI–2 must comply with this part by carrying on board a valid International Ship Security Certificate that certifies that the verifications required by Section 19.1 of part A of the ISPS Code (Incorporated by reference, see § 101.115 of this subchapter) have been completed. As stated in Section 9.4 of the ISPS Code, part A requires that, in order for the ISSC to be issued, the provisions of part B of the ISPS Code need to be taken into account.

\* \* \* \* \*

#### PART 120—SECURITY OF PASSENGER VESSELS

■ 3. The authority citation for part 120 continues to read as follows:

**Authority:** 33 U.S.C. 1231; Department of Homeland Security Delegation No. 0170.

##### § 120.305 [Amended]

■ 4. Amend § 120.305, by revising paragraph (a) to read as follows:

##### § 120.305 What is the procedure for examination?

(a) You must submit two copies of each Vessel Security Plan required by § 120.300, or of any Terminal Security Plan or annex required or permitted under § 120.303 or § 128.305 of this chapter, to the Commanding Officer (MSC), USCG Marine Safety Center, 1900 Half Street, SW., Suite 1000, Room 525, Washington, DC 20024 for visitors.

Send all mail to Commanding Officer (MSC), United States Coast Guard, JR10–0525, 2100 2nd Street, SW., Washington, DC 20593, for examination at least 60 days before embarking passengers on a voyage described in § 120.100.

\* \* \* \* \*

Dated: January 30, 2007.

**Steve Vencus,**

*Chief, Office of Regulations and Administrative Law, United States Coast Guard.*

[FR Doc. E7–2100 Filed 2–7–07; 8:45 am]

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#### LIBRARY OF CONGRESS

##### Copyright Office

##### 37 CFR Part 201

[Docket No. RM 2007–2]

##### Fees

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Copyright Office is making a technical amendment in the regulations regarding fees for recordation of an interim or amended designation of agent to receive notification of claimed infringement under the Copyright Act.

**EFFECTIVE DATE:** February 8, 2007.

##### FOR FURTHER INFORMATION CONTACT:

Tanya M. Sandros, Acting General Counsel, P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Telephone: (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** Sec. 512(c) of the Copyright Act, title 17 of the United States Code, provides limitations on service provider liability for storage, at the direction of a user, of copyrighted material residing on a system or network controlled or operated by or for the service provider. The liability limitations apply if, among other things, the service provider has designated an agent to receive notifications of claimed infringement by providing contact information to the Copyright Office and by posting such information on the service provider's publicly accessible website. In this connection, the Copyright Office maintains a directory of service providers' designated agents.

On June 1, 2006, in accordance with the applicable provisions of title 17, the Copyright Office published a final rule

adjusting the Copyright Office fees for recordation of an interim or amended designation of agent to receive notification of claimed infringement under sec. 512(c) of the Copyright Act. The June 1, 2006, final rule included the fee adjustment designation of \$80.00 for recordation of an interim designation of agent to receive notification of claimed infringement under sec. 512(c) of the Copyright Act in the new § 201.3(c) fee schedule. However, other technical amendments meant to bring all fees within § 201.3 did not address recordation of an interim or amended designation of agent to receive notification of claimed infringement under sec. 512(c) of the Copyright Act. In order to correct this oversight, we are amending §§ 201.38(e) and 201.38(f) to reference the established § 201.3(c) fee schedule for recordation of an interim designation of agent to receive notification of claimed infringement under sec. 512(c)(2).

Because this amendment is being issued simply for purposes of correcting an oversight associated with implementation of the new fee schedule, the Office finds that there is good cause to make the amendment effective immediately.

#### List of Subjects in 37 CFR Part 201

Copyright, General provisions.

#### Final Rule

■ In consideration of the foregoing, part 201 of 37 CFR, chapter II is amended in the following manner:

#### PART 201—GENERAL PROVISIONS

■ 1. The authority citation for part 201 continues to read as follows:

*Authority:* 17 U.S.C. 702.

■ 2. Amend § 201.38 by revising paragraphs (e) and (f) to read as follows:

#### § 201.38 Designation of agent to receive notification of claimed infringement.

\* \* \* \* \*

(e) *Filing.* A service provider may file the Interim Designation of Agent to Receive Notification of Claimed Infringement with the Public Information Office of the Copyright Office, Room LM-401, James Madison Memorial Building, Library of Congress, 101 Independence Avenue, SE, Washington, DC, during normal business hours, 9 am to 5 pm. If mailed, the Interim Designation should be addressed to: Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Each designation shall be accompanied by a filing fee for Recordation of an Interim Designation of

Agent to Receive Notification of Claimed Infringement under section 512(c)(2) in the amount prescribed in § 201.3(c). Designations and amendments will be posted online on the Copyright Office's website (<http://www.loc.gov/copyright>).

(f) *Amendments.* In the event of a change in the information reported in an Interim Designation of Agent to Receive Notification of Claimed Infringement, a service provider shall file with the Public Information Office of the Copyright Office an amended Interim Designation of Agent to Receive Notification of Claimed Infringement, containing the current information required by § 201.38(c). The amended Interim Designation shall be signed in accordance with the requirements of § 201.38(d) and shall be accompanied by a fee equal to the amount prescribed in § 201.3(c) for Recordation of an Interim Designation of Agent to Receive Notification of Claimed Infringement under section 512(c)(2).

\* \* \* \* \*

Dated: February 2, 2007

**Tanya M. Sandros**

*Acting General Counsel*

[FR Doc. E7-2105 Filed 2-7-07; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2006-0915; FRL-8276-3]

#### Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Amendments to the Minor New Source Review Program

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the West Virginia State Implementation Plan (SIP). The revisions set forth the procedures for stationary source reporting and the criteria for obtaining a permit to construct and operate a new stationary source which is not a major stationary source. The rule establishes the requirements for obtaining an administrative update to an existing permit, temporary permit or a general permit, and for filling notifications and maintaining records of changes not otherwise subject to the permit requirements of this rule. The rule establishes public participation requirements as well as procedures for the transfer, suspension and revocation

of permits. EPA is approving these revisions to West Virginia's SIP in accordance with the requirements of the Clean Air Act.

**DATES:** This rule is effective on April 9, 2007 without further notice, unless EPA receives adverse written comment by March 12, 2007. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2006-0915 by one of the following methods:

A. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. *E-mail:* [campbell.dave@epa.gov](mailto:campbell.dave@epa.gov).

C. *Mail:* EPA-R03-OAR-2006-0915, David Campbell, Chief, Permits and Technical Assessment Branch, Mailcode 3AP11, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R03-OAR-2006-0915. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or e-mail. The *www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *www.regulations.gov*, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your