

8. Section 3633(a)(2) requires each competitive product to cover its "costs attributable," which are defined as "the direct and indirect postal costs attributable to such product through reliably identified causal relationships." § 3631(b). The Commission has historically used attributable costs to develop recommended rates under the Postal Reorganization Act. Enactment of the PAEA raises issues concerning the need, if any, to modify the Commission's historic approach as well as the classification of costs arising under the PAEA.

Regarding the term "costs attributable"—

a. Identify any costs currently classified as attributable that, in light of PAEA, should be classified as institutional. The rationale for the proposed change should be explained.

b. Identify any costs currently classified as institutional that, in light of PAEA, should be classified as attributable. The rationale for the proposed change should be explained.

c. How should Retiree Health Benefit costs be classified?

9. The PAEA establishes a rate floor for each competitive product, *i.e.*, each competitive product must cover its attributable costs. § 3633(a)(2). Product is defined as "a postal service with a distinct cost or market characteristic for which a rate or rates are, or may reasonably be, applied[.]" § 102(6).

Regarding the term "product"—

a. Is each International Customized Agreement a competitive product?

b. Is each Negotiated Service Agreement a product?

c. Is each special classification a product?

d. Is each class not of general applicability a product?

#### IV. Ordering Paragraphs

It is ordered:

1. Interested persons may submit comments on the questions contained herein on or before June 18, 2007.

2. Reply comments are due on or before July 3, 2007.

3. The Secretary shall arrange for publication of this Advance Notice in the **Federal Register**.

By the Commission.

Issued May 17, 2007.

Signed May 21, 2007.

**Steven W. Williams,**

*Secretary.*

[FR Doc. E7-10095 Filed 5-24-07; 8:45 am]

BILLING CODE 7710-FW-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2006-0130-200714(b); FRL-8317-7]

#### Approval and Promulgation of Implementation Plans: State of Florida; Prevention of Significant Deterioration Requirements for Power Plants Subject to the Florida Power Plant Siting Act

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

**ACTION:** Proposed rule.

**SUMMARY:** On February 3, 2006, the State of Florida, through a State Implementation Plan (SIP) submittal addressing New Source Review Reform (NSR) requirements, requested that EPA grant it full approval to implement the State's Clean Air Act (CAA or Act) Prevention of Significant Deterioration program for electric power plants subject to the Florida Electrical Power Plant Siting Act. EPA is proposing to approve this specific request under section 110 of the Act. EPA intends to take action on all other portions of Florida's February 3, 2006, NSR Reform SIP submittal in a future rulemaking. In the Final Rules section of this **Federal Register**, EPA is approving the State's request as a direct final rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** Written comments must be received on or before June 25, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-OAR-2006-0130, by one of the following methods:

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

2. *E-mail*: [Fortin.Kelly@EPA.gov](mailto:Fortin.Kelly@EPA.gov).

3. *Fax*: 404-562-9066.

4. *Mail*: "EPA-R04-OAR-2006-0130", Air Permits Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S.

Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960.

5. *Hand Delivery or Courier*: Ms. Kelly Fortin, Air Permits Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kelly Fortin, Air Permits Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9117. Ms. Fortin can also be reached via electronic mail at [fortin.kelly@epa.gov](mailto:fortin.kelly@epa.gov).

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the Rules section of this **Federal Register**.

Dated: May 16, 2007.

**Russell L. Wright, Jr.,**

*Acting Regional Administrator, Region 4.*

[FR Doc. E7-10063 Filed 5-24-07; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA-HQ-OAR-2006-0859; FRL-8318-5]

RIN 2060-AN85

#### Risk and Technology Review, Phase II, Group 2

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

**ACTION:** Advanced Notice of Proposed Rulemaking (ANPRM); extension of public comment period.

**SUMMARY:** EPA is announcing that the comment period for the advanced notice for proposed rulemaking for the Risk and Technology Review, Phase II, Group 2 published on March 29, 2007, is being extended until June 29, 2007, for all source categories except Petroleum Refineries.

**DATES:** *Comments.* The comment period has been extended from May 29, 2007. Comments must now be received on or before June 29, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2006-0859, by one of the following methods:

- *www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *E-mail:* [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov), Attention Docket ID No. EPA-HQ-OAR-2006-0859.
- *Facsimile:* (202) 566-1741, Attention Docket ID No. EPA-HQ-OAR-2006-0859.
- *Mail:* U.S. Postal Service, send comments to: EPA Docket Center (6102T), Attention E-Docket ID No. EPA-HQ-OAR-2006-0859, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Please include a total of two copies.
- *Hand Delivery:* In person or by courier, deliver comments to: EPA Docket Center (6102T), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. Please include a total of two copies.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OAR-2006-0859. As described further in section VII of the advanced notice of proposed rulemaking, specific data change suggestions need to be accompanied by supporting documentation that includes a description of any assumptions used and any technical information and/or data that you used. We strongly urge that all data revision comments be submitted in the form of updated Microsoft(r) Access files, which are provided on the <http://www.epa.gov/ttn/atw/risk/rtrpg.html> webpage. Data in the form of written descriptions or other electronic file formats will be difficult for EPA to translate into the necessary format in a timely manner. Additionally, placing the burden on EPA to interpret data submitted in other

formats increases the possibility of misinterpretation or errors. 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](http://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](http://www.regulations.gov), or e-mail. Send or deliver information identified as CBI only to the following address: Mr. Roberto Morales, OAQPS Document Control Officer, U.S. EPA (C404-02), Attention Docket ID No. EPA-HQ-OAR-2006-0859, Research Triangle Park, NC 27711. Clearly mark the part or all of the information that you claim to be CBI. The [www.regulations.gov](http://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](http://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 comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, (i.e., CBI or other information whose disclosure is restricted by statute). Certain other material, such as

copyrighted material will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the EPA Docket Center, 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 EPA Docket Center is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:**

Paula Hirtz, Office and Air Quality Planning and Standards, Sector Policies and Programs Division, Coatings and Chemicals Group (E143-01), Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: (919) 541-2618; fax number: (919) 541-0246; and e-mail address: [hirtz.paula@epa.gov](mailto:hirtz.paula@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Regulated Entities.* Entities potentially affected by this action include facilities containing any one or more of the 22 major source categories subject to the 12 national emission standards for hazardous air pollutants (NESHAP) (or commonly referred to maximum achievable control technology (MACT) standards) listed in Table 1. The Petroleum Refineries source category is affected by this action, but will not receive an extension of the comment period due to the court-ordered deadline of August 22, 2007, for proposal of the technology review. This action does not affect area sources, as these NESHAP do not apply to area sources. Industries regulated by these MACT are classified by the North American Industry Classification System (NAICS) codes shown in Table 1. In addition, a classification system of MACT codes has been developed and is used in the 2002 National Emissions Inventory to identify processes included in each MACT source category. The MACT codes for the 22 source categories addressed in this notice are also displayed in Table 1.

TABLE 1.—MACT STANDARDS, SOURCE CATEGORIES, AND CORRESPONDING NAICS AND MACT CODES ADDRESSED BY THIS ANPRM

MACT standard/source category name	NAICS code	MACT code
Mineral Wool Production .....	327993	0409
Aerospace Manufacturing and Rework Facilities .....	336411	0701
Marine Tank Vessel Loading Operations .....	4883	0603
Natural Gas Transmission and Storage .....	486210	0504
Oil and Natural Gas Production .....	211	0501
Petroleum Refineries .....	32411	0503
Pharmaceuticals Production .....	3254	1201

TABLE 1.—MACT STANDARDS, SOURCE CATEGORIES, AND CORRESPONDING NAICS AND MACT CODES ADDRESSED BY THIS ANPRM—Continued

MACT standard/source category name	NAICS code	MACT code
Group I Polymers and Resins:		
Epichlorohydrin Elastomers Production .....	325212	1311
Hypalon™ Production .....	325212	1315
Nitrile Butadiene Rubber Production .....	325212	1321
Polybutadiene Rubber Production .....	325212	1325
Styrene-Butadiene Rubber and Latex Production .....	325212	1339
Group IV Polymers and Resins:		
Acrylic-Butadiene-Styrene Production .....	325211	1302
Methyl Methacrylate-Acrylonitrile-Butadiene-Styrene Production .....	325211	1317
Methyl Methacrylate-Butadiene-Styrene Production .....	325211	1318
Nitrile Resins Production .....	325211	1342
Polyethylene Terephthalate Production .....	325211	1328
Polystyrene Production .....	325211	1331
Styrene-Acrylonitrile Production .....	325211	1338
Primary Aluminum Reduction Plants .....	331312	0201
Printing and Publishing Industry .....	32311	0714
Shipbuilding and Ship Repair Operations .....	336611	0715

*Worldwide Web (WWW).* In addition to being available in the docket, an electronic copy of today's notice will be available on the WWW through the Technology Transfer Network (TTN). Following the Assistant Administrator's signature, a copy of this notice will be posted on TTN's policy and guidance page for newly proposed or promulgated rules at <http://www.epa.gov/ttn/oarpg>. The TTN provides information and technology exchange in various areas of air pollution control. Additional information is available on the Risk and Technology Review Phase II webpage at <http://www.epa.gov/ttn/atw/risk/rtrpg.html>. This information includes source category descriptions and detailed emissions and other data that will be used as model inputs.

#### Comment Period

We received 15 requests to extend the public comment period on the advance notice of proposed rulemaking for the Risk and Technology Review, Phase II, Group 2 (72 FR 14734, March 29, 2007). We are extending the comment period to June 29, 2007, for all source categories except Petroleum Refineries. EPA is under a court-ordered deadline to propose action on the technology review for this source category by August 22, 2007. All comments for Petroleum Refineries must be received by May 29, 2007. Public comments must be received on or before June 29, 2007 for all other source categories.

#### How can I get copies of the proposed amendments and other related information?

EPA has established the official public docket for the proposed rulemaking under Docket ID No. EPA-

HQ-OAR-2006-0859. Information on how to access the docket is presented above in the **ADDRESSES** section. In addition, information may be obtained from the Web page for the proposed rulemaking at: <http://www.epa.gov/ttn/atw/risk/rtrpg.html>.

Dated: May 18, 2007.

**William L. Wehrum,**

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. E7-10128 Filed 5-24-07; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### 45 CFR Part 5b

[CMS-0029-P]

RIN 0938-A069

#### Exemption of Certain Systems of Records Under the Privacy Act

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would exempt the four system of records from subsections (c)(3), (d)(1) through (d)(4), (e)(4)(G) and (H), and (f) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2): The Automated Survey Processing Environment (ASPEN) Complaint/Incidents Tracking System ("ACTS"), HHS/CMS, System No. 09-70-0565; the Health Insurance Portability and Accountability Act (HIPAA) Information Tracking System ("HITS"), HHS/CMS, System No. 09-70-0544; the Organ

Procurement Organizations System ("OPOS"), HHS/CMS, System No. 09-70-0575; and the Fraud Investigation Database ("FID"), HHS/CMS, System No. 09-70-0527.

**DATES:** To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on July 24, 2007.

**ADDRESSES:** In commenting, please refer to file code CMS-0029-P. Because of staff and resource limitations, we cannot accept comments by facsimile (Fax) transmission.

You may submit comments in one of four ways (no duplicates, please):

1. *Electronically.* You may submit electronic comments on specific issues in this regulation to <http://www.cms.hhs.gov/eRulemaking>. Click on the link "Submit electronic comments on CMS regulations with an open comment period." (Attachments should be in Microsoft Word, WordPerfect, or Excel; however, we prefer Microsoft Word.)

2. *By regular mail.* You may mail written comments (one original and two copies) to the following address Only: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-0029-P, P.O. Box 8017, Baltimore, MD 21244-8017.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments (one original and two copies) to the following address Only: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-0029-P, Mail Stop C4-26-05,