

§ 304.1 Scope; definitions.

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(c) This subpart is issued subject to and consistent with applicable regulations on administrative claims under the Federal Tort Claims Act issued by the Attorney General (28 CFR part 14).

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■ 3. Section 304.2(b) is revised to read as follows:

§ 304.2 Administrative claim; when presented; appropriate Peace Corps office.

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(b) A claimant shall mail or deliver his claim to the General Counsel, Peace Corps, 1111 20th Street, NW., Washington, DC 20526.

■ 4. Section 304.7 is revised to read as follows:

§ 304.7 Authority to adjust, determine, compromise, and settle claims.

The authority to consider, ascertain, adjust, determine, compromise and settle claims of less than \$5,000 under 28 U.S.C. 2672, and this subpart, rests with the Chief Financial Officer, as the designee of the head of the agency. For claims under 28 U.S.C. 2672 and this subpart, subject to § 304.8, the Director of the Peace Corps retains authority to consider, ascertain, adjust, determine, compromise and settle claims of \$5,000 or more.

■ 5. Section 304.9 is revised to read as follows:

§ 304.9 Referral to the Department of Justice.

When Department of Justice approval or consultation is required under § 304.8, the referral or request shall be transmitted to the Department of Justice by the General Counsel.

Dated: January 19, 2007.

Tyler S. Posey,
General Counsel.

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DEPARTMENT OF THE TREASURY**Office of Foreign Assets Control****31 CFR Part 594****Global Terrorism Sanctions Regulations**

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule.

SUMMARY: The Treasury Department's Office of Foreign Assets Control ("OFAC") is amending the Global

Terrorism Sanctions Regulations to define the term "otherwise associated with" as used in 31 CFR 594.201 and to amend an explanatory note accompanying that section.

DATES: Effective January 26, 2007.

FOR FURTHER INFORMATION CONTACT:

Chief Counsel (Foreign Assets Control), Office of the General Counsel, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2410 (not a toll free number).

SUPPLEMENTARY INFORMATION:**Background**

OFAC administers the Global Terrorism Sanctions Regulations, 31 CFR part 594 ("GTSR"), which implement and interpret Executive Order 13224 of September 23, 2001, in which the President declared a national emergency with respect to grave acts of terrorism and threats of terrorism committed by foreign terrorists and imposed economic sanctions with respect to certain designated individuals and entities. In section 7 of Executive Order 13224, the President authorized the Secretary of the Treasury, in consultation with other relevant Cabinet officials, to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes of the order. The Secretary of the Treasury has, in turn, authorized the Director of OFAC to take these actions. 31 CFR 594.802. Today, OFAC is amending the GTSR by adding a new section 594.316 which defines the term "otherwise associated with" as used in section 594.201(a)(4)(ii). OFAC also is amending Note 3 to section 594.201 to clarify the scope of section 501.807 of this chapter.

The new section 594.316 defines a person "otherwise associated with" persons whose property and interests in property are blocked pursuant to section 594.201(a)(1), (a)(2), (a)(3), or (a)(4)(i) to include one who: (1) Owns or controls such persons; or (2) attempts, or conspires with one or more persons, to provide financial, material, or technological support, or financial or other services, to such persons. OFAC recognizes that this definition may include concepts that overlap with existing provisions of section 594.201(a)(1), (a)(2), (a)(3), or (a)(4)(i). However, in light of the serious danger posed to national security by international terrorism, OFAC has determined that the benefit of greater specificity in its definitions outweighs any concerns with redundancy. In promulgating this definition, OFAC does not mean to imply any limitation on the scope of section 594.201(a)(1), (a)(2), (a)(3), or

(a)(4)(i). Finally, as in all programs OFAC administers, these and other designation criteria in the GTSR will be applied in a manner consistent with pertinent Federal law, including, where applicable, the First Amendment to the United States Constitution.

Executive Order 12866, Administrative Procedure Act, Regulatory Flexibility Act, and Paperwork Reduction Act

Because the regulations at issue involve a foreign affairs function, the provisions of Executive Order 12866 and the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601-612) does not apply.

The Paperwork Reduction Act does not apply because this rule does not impose information collection requirements that would require the approval of the Office of Management and Budget under 44 U.S.C. 3501 et seq.

List of Subjects in 31 CFR Part 594

Administrative practice and procedure, Banks, Banking, Penalties, Reporting and recordkeeping requirements, Terrorism.

■ For the reasons set forth in the preamble, the Office of Foreign Assets Control amends 31 CFR part 594 as follows:

PART 594—GLOBAL TERRORISM SANCTIONS REGULATIONS

■ 1. The authority citation for part 594 continues to read as follows:

Authority: 3 U.S.C. 301; 22 U.S.C. 287c; 31 U.S.C. 321(b); 50 U.S.C. 1601-1651, 1701-1706; Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 109-177, 120 Stat. 192; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; E.O. 13268, 67 FR 44751; 3 CFR, 2002 Comp., p. 240; E.O. 13284, 64 FR 4075, 3 CFR, 2003 Comp., p. 161.

Subpart B—Prohibitions

■ 2. In § 594.201, revise Note 3 to paragraph (a) to read as follows:

§ 594.201 Prohibited transactions involving blocked property.

(a) * * *

Note 3 to paragraph (a). Section 501.807 of this chapter V sets forth the procedures to be followed by persons seeking administrative reconsideration of their designation pursuant to § 594.201(a) or who wish to assert that the circumstances resulting in designation no longer apply. Similarly, when a transaction results in the blocking of funds at a financial institution pursuant to this section and a party to the

transaction believes the funds to have been blocked due to mistaken identity, that party may seek to have such funds unblocked pursuant to the administrative procedures set forth in § 501.806 of this chapter.

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Subpart C—General Definitions

■ 3. Add a new § 594.316 to subpart C to read as follows:

§ 594.316 Otherwise associated with.

The term “to be otherwise associated with,” as used in § 594.201(a)(4)(ii), means:

- (a) To own or control; or
- (b) To attempt, or to conspire with one or more persons, to act for or on behalf of or to provide financial, material, or technological support, or financial or other services, to.

Dated: January 25, 2007.

J. Robert McBrien,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 07–416 Filed 1–26–07; 2:24 pm]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2005–VA–0017; FRL–8273–9]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Emission Standards for Consumer Products in the Northern Virginia Volatile Organic Compound Emissions Control Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Virginia. This revision pertains to the emission standards for consumer products sold and used in the Northern Virginia volatile organic compound (VOC) emissions control area. EPA is approving this SIP revision in accordance with the Clean Air Act (CAA or Act).

EFFECTIVE DATE: This final rule is effective on March 1, 2007.

ADDRESSES: EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2005–VA–0017. All documents in the docket are listed in the <http://www.regulations.gov> Web site. Although listed in the electronic docket, some information is

not publicly available, *i.e.*, confidential business information (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 for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 814–2182, or by e-mail at quinto.rose@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On January 31, 2006 (71 FR 5035), EPA published a notice of proposed rulemaking (NPR) for the Commonwealth of Virginia. The NPR proposed approval of a new rule, 9 VAC 5 Chapter 40, Consumer Products (9 VAC 5–40–7240 through 9 VAC 5–40–7360); and the amendments to 9 VAC 5–20–21 that incorporate by reference test methods and procedures needed for 9 VAC 5 Chapter 40. The formal SIP revision was submitted by the Virginia Department of Environmental Quality (VADEQ) on October 25, 2005.

II. Summary of SIP Revision

The Virginia consumer products rule, 9 VAC 5 Chapter 40, applies only to sources in the Northern Virginia VOC emissions control area designated in 9 VAC 5–20–206. The rule applies to a person who sells, supplies, offers for sale, or manufactures consumer products on or after July 1, 2005. Also included in the rule are definitions, the VOC content limits, standards and exemptions, innovative products, requirements for waiver requests, administrative requirements for labeling and reporting, test methods for demonstrating compliance, compliance schedules, an alternative control plan, monitoring, and reporting and recordkeeping requirements.

Amendments to 9 VAC 5–20–21 incorporate by reference additional test methods and procedures needed for 9 VAC 5 Chapter 40.

Other specific requirements of 9 VAC 5 Chapter 40, amendments to 9 VAC 5–20–21, and the rationale for EPA’s proposed action are explained in the

NPR and will not be restated here. On February 2, 2006, EPA received a single comment on its January 31, 2006 NPR. A summary of the comment submitted and EPA’s response is provided in Section III of this document.

III. Summary of Public Comments and EPA Responses

Comment: A commenter pointed out that one of its test methods referenced in the State regulation had been revised and renumbered.

Response: The commenter merely points out that one test method that the rule incorporates has been revised and renumbered. The commenter does not request that EPA disapprove the rule, nor allege that the current regulation incorporating the earlier version of the test method is in any way adequate. Therefore, EPA concludes that the information provided by the commenter does not change EPA’s proposal to approve the SIP revision.

IV. General Information Pertaining to SIP Submittals From the Commonwealth of Virginia

In 1995, Virginia adopted legislation that provides, subject to certain conditions, for an environmental assessment (audit) “privilege” for voluntary compliance evaluations performed by a regulated entity. The legislation further addresses the relative burden of proof for parties either asserting the privilege or seeking disclosure of documents for which the privilege is claimed. Virginia’s legislation also provides, subject to certain conditions, for a penalty waiver for violations of environmental laws when a regulated entity discovers such violations pursuant to a voluntary compliance evaluation and voluntarily discloses such violations to the Commonwealth and takes prompt and appropriate measures to remedy the violations. Virginia’s Voluntary Environmental Assessment Privilege Law, Va. Code Sec. 10.1–1198, provides a privilege that protects from disclosure documents and information about the content of those documents that are the product of a voluntary environmental assessment. The Privilege Law does not extend to documents or information (1) That are generated or developed before the commencement of a voluntary environmental assessment; (2) that are prepared independently of the assessment process; (3) that demonstrate a clear, imminent and substantial danger to the public health or environment; or (4) that are required by law.

On January 12, 1998, the Commonwealth of Virginia Office of the