

less than the cost of sending you a bill. However, where an individual, organization, or governmental unit makes multiple separate requests, we will total the costs incurred and bill the requester for the services rendered.

(d) *Fee for copies of printed materials.* When extra copies of printed material are available, the charge is generally 1 cent per page. If the material may be purchased from the Superintendent of Documents, the charge is that set by the Superintendent. The Superintendent's address is in § 422.410.

(e) *Charging when requested record not found.* We may charge you for search time, even though we fail to find the records, if you request that we continue the search after we have informed you that it is unlikely to be productive. We may also charge you for search time if the records we locate are exempt from disclosure.

§ 422.442 Procedure on assessing and collecting fees for providing records.

(a) We will generally assume that when you send us a request, you agree to pay for the services needed to locate and send that record to you. You may specify in your request a limit on the amount you are willing to spend. If you do that or include with your request a payment that does not cover our fee, we will notify you if it appears that the fee will exceed that amount and ask whether you want us to continue to process your request. Also, before we start work on your request under § 422.441 we will generally notify you of our exact or estimated charge for the information, unless it is clear that you have a reasonable idea of the cost.

(b) In most cases, where we charge you a fee under § 422.440, we will send your bill along with or following release of the requested records.

(c) If the fee will be unusually large, if you have failed to pay previous bills, or if we are charging you a fee under § 422.441, we may ask you to pay the estimated fee, or a deposit, before we continue searching for the requested records or before we send them to you. If so, we will notify you shortly after receiving your request. In such cases the administrative time limits in §§ 422.429 and 422.447 will begin only after we have reached an agreement over payment of the fee.

(d) Payment of fees will be made by check or money order payable to "Social Security Administration".

§ 422.443 Waiver or reduction of fees in the public interest.

We may waive or reduce the fees

provided for by §§ 422.440 and 422.441 if we determine it is in the public interest to do so. This will generally be done if furnishing the record can be considered as primarily benefiting the general public. This determination may be made only by one of the officials described in §§ 422.444 and 422.447(b). If we deny all or part of your request for a fee waiver or reduction, you may appeal that decision under § 422.447. When appealing a decision, you should specify the manner in which release of the record will benefit the general public.

§§ 422.444, 422.448, and 422.452 [Removed]

18. Sections 422.444, 422.448, and 422.452 are removed.

19. New §§ 422.444, 422.445, 422.447, and 422.449 are added to read as follows:

§ 422.444 Officials who may deny a request.

Except as provided by regulation, only the Director, Office of Information, SSA, or her or his designee is authorized to deny a written request to obtain, inspect, or copy any Social Security record. However, for instances in which the request may involve records of SSA and another part of HHS the determination is made by the HHS FOIA Officer.

§ 422.445 How a request is denied.

(a) *Oral requests.* If we cannot comply with your oral request because the Director of the Office of Information (or designee) has not previously made a determination to release the record you want, we will tell you that fact. If you still wish to pursue your request, you must put your request in writing.

(b) *Written requests.* If you make a written request and the information or record you requested will not be released, you will receive an official denial in writing. The denial notice will explain why the request was denied (for example, the reasons why the requested document is subject to one or more clearly described exemptions), will include the name and title or position of the person who made the decision, and will explain your appeal rights.

§ 422.447 How to appeal a decision denying all or part of a request.

(a) *How to appeal.* If all or part of your written request was denied, you may request that the Commissioner of Social Security, 6401 Security Boulevard, Baltimore, Maryland 21235 review that determination. Your request for review:

(1) Must be in writing;

(2) Must be mailed within 30 days after you received notification that all or part of your request was denied or, if later, 30 days after you received materials in partial compliance with your request; and

(3) May include additional information or evidence to support your request.

(b) *How the review is made.* After reviewing the prior decision and considering anything else submitted, the Commissioner or designee will affirm or revise all or part of that decision. The Commissioner (or a designee) will affirm a denial only after consulting with the appropriate SSA official(s) and the Office of the General Counsel and obtaining the approval of the Assistant Secretary for Public Affairs, HHS, or a designee. The decision must be made within 20 working days after your appeal is received. The Commissioner or a designee may extend this time limit up to 10 additional working days if one of the situations in § 422.429(a) exists, provided that, if a prior extension was used to process this request, the sum of the extensions may not exceed 10 working days. You will be notified in writing of any extension, the reason for the extension, and the date by which your appeal will be decided.

(c) *How you are notified of the Commissioner's decision.* The Commissioner or a designee will send you a written notice of the decision explaining the basis of the decision (e.g., the reasons why an exemption applies) and including the name and title or position of the person who made the decision. If any part of your request remains unsatisfied the notice will also advise you of your right to seek court review.

§ 422.449 U.S. district court action.

If the Commissioner or a designee, upon review, affirms the denial of your request for records, in whole or in part, you may ask a U.S. district court to review that denial. See 5 U.S.C. 552(a)(4)(B). If we fail to act on your request for a record or for review of a denial of such a request within the time limits in § 422.429(a) or in § 422.447(b), that is equivalent to denial of your request by the Commissioner or a designee for purposes of this section.

[FR Doc. 85-16039 Filed 7-12-85; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 170

[T.D. ATF-207; correction]

Still; Miscellaneous Provisions; Correction

AGENCY: The Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Final rule (Treasury decision); correction.

SUMMARY: This document corrects errors made in FR Doc. 85-13421, published in the Federal Register on June 5, 1985, at 50 FR 23680, which implemented section 451 of the Deficit Reduction Act of 1984, Pub. L. 98-369, 98 Stat. 818.

FOR FURTHER INFORMATION CONTACT:

J.R. Whitley, ATF Tax Specialist, Distilled Spirits and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226 (202-566-7531).

SUPPLEMENTARY INFORMATION:

§ 170.43 [Corrected]

Paragraph 1. In the right-hand column of page 23682 in § 170.43 in the last sentence of paragraph (a) remove the word "part" and insert, in its place, the word "subpart".

§ 170.45 [Corrected]

Par. 2. In the right-hand column on page 23682 in § 170.45 in the definition "Distilling" in the last line of the column remove the word "operation" and insert, in its place, the word "operations".

§ 170.47 [Corrected]

Par. 3. In the left-hand column of page 23683 in the heading of § 170.47 in the fourth line from the bottom of the column remove the word "requirements" and insert, in its place, the word "requirement".

§ 170.55 [Corrected]

Par. 4. In the right-hand column of page 23683, paragraph (a) of § 170.55 is corrected and an OMB control number is added to the end of the section to read as follows:

§ 170.55 Registry of stills and distilling apparatus.

(a) *General.* Every person having possession, custody, or control of any still or distilling apparatus set up shall, immediately on its being set up, register the still or distilling apparatus, except that a still or distilling apparatus not used or intended for use in the distillation, redistillation, or recovery of

distilled spirits is not required to be registered. Registration may be accomplished by describing the still or distilling apparatus on the registration or permit application prescribed in this chapter for qualification under 26 U.S.C. Chapter 51 or, if qualification is not required under 26 U.S.C. Chapter 51, on a letter application, and filing the application with the regional director (compliance) of the region in which the still or distilling apparatus is located. Approval of the application by the regional director (compliance) will constitute registration of the still or distilling apparatus.

(Reporting and recordkeeping requirements in paragraph (a) approved by the Office of Management and Budget under control number 1512-0341)

(Sec. 201, Pub. L. 85-859, 72 Stat. 1355, as amended (26 U.S.C. 5179))

Signed: July 3, 1985.

Stephen E. Higgins,
Director.

[FR Doc. 85-16774 Filed 7-12-85; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 902

Extension of Deadline for Submission of Program Amendments to the Alaska Permanent Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule.

SUMMARY: OSM is announcing its decision to extend the deadline for Alaska to (1) promulgate rules governing the training, examination and certification of blasters and (2) to develop and adopt a program to examine and certify all persons who are directly responsible for the use of explosives in a surface coal mining operation. On April 29, 1985, Alaska requested an additional extension of time, until August 2, 1985, to submit a blaster training program.

All States with regulatory programs approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act) are required to develop and adopt a blaster certification program within twelve months after program approval or within twelve months after publication date of OSM's rule at 30 CFR Part 850, whichever is later. Section 850.12(b) of OSM's

regulations provides that the Director, OSM, may approve an extension of time for a State to develop and adopt a program upon a demonstration of good cause. In accordance with the State's request, the Director is granting the State an extension of time, until August 2, 1985, to submit a proposed blaster certification program.

EFFECTIVE DATE: July 15, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. William Thomas, Director, Casper Field Office, Office of Surface Mining, Freden Building, 935 Pendell Boulevard, Mills, Wyoming 82644; Telephone: (307) 261-5824.

SUPPLEMENTARY INFORMATION: On March 4, 1983, OSM issued final rules effective April 14, 1983, establishing the Federal standards for the training and certification of blasters at 30 CFR Chapter M (48 FR 9486). Section 850.12 of these regulations stipulates that the regulatory authority in each State with an approved program under SMCRA shall develop and adopt a program to examine and certify all persons who are directly responsible for the use of explosives in a surface coal mining operation within 12 months after approval of a State program or within 12 months after publication date of OSM's rule at 30 CFR Part 850, whichever is later. In the case of Alaska's program, the applicable date is 12 months after approval of the State program, or May 2, 1984.

On February 29, 1984, Alaska advised OSM that it would be unable to meet the May 2, 1984 deadline and requested an additional twelve months to develop and adopt a blaster certification program. On May 14, 1984, the Director announced his decision to extend Alaska's deadline until May 2, 1985 (49 FR 20284).

On April 29, 1985, the State advised OSM that it had developed draft regulations, identified training options, prepared two blaster certification examinations, and drafted an application form. However, the State indicated that additional time would be needed to review the program materials and to refine the identification of training options. Thus, the State requested an extension of the deadline for submission until August 2, 1985.

In the May 28, 1985, Federal Register (50 FR 21625), OSM proposed an extension until August 2, 1985 for Alaska to submit a proposed blaster certification program. Public comment was sought on the proposal for 30 days ending June 27, 1985. No comments were submitted to OSM during the comment period.

Director's Decision

In accordance with the State's request, the Director has decided to extend the deadline for Alaska to submit a proposed blaster training program until August 2, 1985. This extension will allow the Alaska Department of Natural Resources, Division of Mining, to refine its draft blaster training and certification program.

Additional Determinations

1. *Compliance with the National Environmental Policy Act:* The Secretary has determined that pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7 and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a regulatory impact analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule will not impose any new requirements; rather, it will ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. *Paperwork Reduction Act:* The rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 902

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: July 9, 1985.

Jed D. Christensen,

Director, Office of Surface Mining.

PART 902—ALASKA

1. The authority citation for Part 902 continues to read as follows:

Authority: Pub. L. 95-87, Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*).

2. 30 CFR Part 902 is amended by revising § 902.16 to read as follows:

§ 902.16 Required program amendments.

Pursuant to 30 CFR 732.17, Alaska is required to submit for OSM's approval the following proposed program amendments by the dates specified.

(a) By August 2, 1985, Alaska shall submit for OSM's approval

(1) Rules governing the training, examination and certification of blasters and

(2) A program to examine and certify all persons who are directly responsible for the use of explosives in surface coal mining operation.

(b) Reserved.

[FR Doc. 85-16711 Filed 7-12-85; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE**Department of the Army****32 CFR Parts 642 and 657****Facilities Engineering; Removal of Regulations**

AGENCY: Department of the Army, DoD.

ACTION: Removal of regulations.

SUMMARY: Army regulations AR 420-74, Facilities Engineering, Natural Resources—Land, Forest and Wildlife Management (32 CFR Part 642) and AR 420-76, Facilities Engineering, Pest Management Program (32 CFR Part 657) are rescinded from the Code of Federal Regulations because they do not directly affect the public.

EFFECTIVE DATE: July 15, 1985.

FOR FURTHER INFORMATION CONTACT: Donald M. Bandel, Office of the Assistant Chief of Engineers, Facilities Engineering Division, Buildings and Grounds Branch, (DAEN-ZCF-B), Washington, DC 20314. (202) 272-0593.

SUPPLEMENTARY INFORMATION: The Department of the Army has determined that AR 420-74 and AR 420-76 do not directly affect the public. These regulations provide internal operating policy guidance for the operation and maintenance of Army installations and implement directives issued by higher headquarters.

List of Subjects**32 CFR Part 642**

Environmental protection, Federal buildings and facilities, Natural resources.

32 CFR Part 657

Federal buildings and facilities, Pesticides and pests.

PARTS 642 AND 657—[REMOVED]

Accordingly, 32 CFR Part 642 and 32 CFR Part 657 are hereby removed.

Paul W. Taylor

Colonel, Corps of Engineers Executive Director, Engineer Staff.

[FR Doc. 85-16773 Filed 7-12-85; 8:45 am]

BILLING CODE 5710-92-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD3 85-19]

Regatta; New Jersey Offshore Grand Prix

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special Local Regulations are being established for the annual New Jersey Offshore Grand Prix Regatta being sponsored by the New Jersey Offshore Powerboat Racing Association. The purpose of this regulation is to provide for the safety of participants and spectators on navigable waters during the event.

EFFECTIVE DATE: This regulation is effective on July 17, 1985.

FOR FURTHER INFORMATION CONTACT: Lt. D.R. Cilley, (212) 668-7974.

SUPPLEMENTARY INFORMATION: On May 28, 1985, the Coast Guard published a Notice of Proposed Rulemaking in the Federal Register for this regulation (50 FR 21625). Interested persons were requested to submit comments, and no comments were received. This regulation is being made effective in less than 30 days from the date of publication. There was not sufficient time remaining in advance of the event to provide for a delayed effective date.

Drafting Information

The drafters of this regulation are Lt. D.R. Cilley, Project Officer, Third Coast Guard District Boating Safety Division and Ms. MaryAnn Arisman, Project Attorney, Third Coast Guard District Legal Office.

Discussion of Regulations

The annual New Jersey Offshore Grand Prix is a powerboat race held off the New Jersey coastline between Asbury Park and Seaside Park. This event is sponsored by the New Jersey Offshore Powerboat Racing Association and is well known to the boaters and residents of this area. This event is traditionally held each year on the third