

(j) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c)(3) only to the extent that release of the disclosure accounting would reveal the identity of a confidential source.

(2) From subsection (d) only to the extent that access to information would reveal the identity of a confidential source.

(k) The following system of records is exempt from 5 U.S.C. 552a(c) (3) and (4), (d), (e)(1), (2) and (3), (e)(4) (G) and (H), (e)(5), (e)(8), (f) and (g):

(1) U.S. Marshals Service Freedom of Information/Privacy Act (FOIA/PA) Files (JUSTICE/USM-012)

These exemptions apply only to the extent that information in this system is subject to exemption pursuant to 5 U.S.C. 552a (j)(2), (k)(2) and (k)(5).

(l) Because this system contains Department of Justice civil and criminal law enforcement, investigatory records, exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c)(3) because to release the disclosure accounting would permit the subject of an investigation to obtain valuable information concerning the existence and nature of the investigation and present a serious impediment to law enforcement.

(2) From subsection (c)(4) because that portion of this system which consists of investigatory records compiled for law enforcement purposes is being exempted from the provisions of subsection (d), rendering this provision not applicable.

(3) From subsection (d) because to permit access to investigatory records would reveal the identity of confidential sources and impede ongoing investigative or law enforcement activities by the premature disclosure of information related to those efforts. To permit amendment of the records would interfere with ongoing criminal law enforcement and impose an impossible administrative burden by requiring criminal investigations to be continuously reinvestigated.

(4) From subsections (e) (1) and (5) because it is often impossible to determine in advance if investigatory records contained in this system are accurate, relevant, timely and complete but, in the interests of effective law enforcement, it is necessary to retain this information to aid in establishing patterns of activity and provide leads in criminal investigations.

(5) From subsection (e)(2) because to collect information from the subject individual would serve notice that he or she is the subject of criminal

investigative or law enforcement activity and thereby present a serious impediment to law enforcement.

(6) From subsection (e)(3) because to inform individuals as required by this subsection would enable the subject individual to identify confidential sources, reveal the existence of an investigation, and compromise law enforcement efforts.

(7) From subsections (e)(4) (G) and (H) because they are inapplicable since an exemption is being claimed for subsections (d) and (f) for investigatory records contained in this system.

(8) From subsection (e)(8) because to serve notice would give persons sufficient warning to evade law enforcement efforts.

(9) From subsection (f) because investigatory records contained in this system are exempt from the provisions of subsection (d).

(10) From subsection (g) because it is inapplicable since an exemption is being claimed for subsections (d) and (f).

(m) The following system of records is exempt from 5 U.S.C. 552a(c) (3) and (4), (d), (e) (2) and (3), (e)(4) (G) and (H), (e)(8), (f) and (g):

(1) U.S. Marshals Service Administrative Proceedings, Claims and Civil Litigation Files (JUSTICE/USM-013).

These exemptions apply only to the extent that information in this system is subject to exemption pursuant to 5 U.S.C. 552a(j)(2) or (k)(5).

(n) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c)(3) because to release the disclosure accounting for disclosures pursuant to the routine uses published for this system would permit the subject of a criminal or civil case or matter under investigation, or a case or matter in litigation, or under regulatory or administrative review or action, to obtain valuable information concerning the nature of that investigation, case or matter, and present a serious impediment to law enforcement or civil legal activities, or reveal a confidential source.

(2) From subsection (c)(4) because the exemption claimed for subsection (d) will make this section inapplicable.

(3) From subsection (d) because to permit access to records contained in this system would provide information concerning litigation strategy, or case development, and/or reveal the nature of the criminal or civil case or matter under investigation or administrative review, or in litigation, and present a serious impediment to law enforcement or civil legal activities, or reveal a confidential source.

(4) From subsection (e)(2) because effective legal representation, defense, or claim adjudication necessitates collecting information from all individuals having knowledge of the criminal or civil case or matter. To collect information primarily from the subject individual would present a serious impediment to law enforcement or civil legal activities.

(5) From subsection (e)(3) because to inform the individuals as required by this subsection would permit the subject of a criminal or civil matter under investigation or administrative review to compromise that investigation or administrative review and thereby impede law enforcement efforts or civil legal activities.

(6) From subsections (e)(4) (G) and (H) because these provisions are inapplicable since this system is exempt from subsections (d) and (f) of the Act.

(7) From subsection (e)(8) because to serve notice would give persons sufficient warning to compromise a criminal or civil investigation or administrative review and thereby impede law enforcement of civil legal activities.

(8) From subsection (f) because this system of records is exempt from the provisions of subsection (d).

(9) From subsection (g) because it is inapplicable since an exemption is claimed for subsections (d) and (f).

(o) * * * The decisions to release information from these systems will be made on a case-by-case basis.

[FR Doc. 88-12522 Filed 6-3-86; 8:45 am]

BILLING CODE 4410-04-M

28 CFR Part 16

[AAG/A Order No. 11-86]

Exemption of Records Systems Under the Privacy Act

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: On December 17, 1985, the United States Marshals Service (USMS), Department of Justice, issued proposed regulations to exempt a system of records entitled "Warrant Information System, JUSTICE/USM-007" from subsections (e)(1) and (e)(5) of the Privacy Act. These exemptions are necessary because the relevancy, necessity, accuracy, timeliness and completeness provisions of subsections (e)(1) and (e)(5) would present a serious impediment to law enforcement in that it is impossible to determine in advance what information collected in the course of a criminal investigation will be

important or crucial to the apprehension of Federal fugitives or to the law enforcement activities of other agencies. These exemptions will permit the USMS to retain seemingly irrelevant, untimely or inaccurate information which, with the passage of time, would gain new significance in the criminal investigation. In addition, because a new paragraph has been added to exempt the system from the additional subsections (e)(1) and (e)(5), the USMS is also republishing existing paragraphs which reflect existing exemptions from other subsections. The existing paragraphs are being republished only to accomplish paragraph redesignation and clarity in Title 28, Part 16, of the Code of Federal Regulations. Their republication has no effect on the public because such republication does not effect any new exemptions.

DATE: This rule will be effective June 4, 1986.

ADDRESS: J. Michael Clark, Assistant Director, General Services Staff, Justice Management Division, United States Department of Justice, Room 9002, 601 D Street, NW., Washington, DC 20530.

FOR FURTHER INFORMATION CONTACT: J. Michael Clark (202-272-6474).

SUPPLEMENTARY INFORMATION: No comments were received regarding the proposed regulations published on December 17, 1985.

List of Subjects in 28 CFR Part 16

Administrative practice and procedure, Courts, Freedom of Information, Privacy, and Sunshine Acts.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby stated that the order will not have a "significant economic impact on a substantial number of small entities."

Pursuant to authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by the Attorney General Order No. 793-78, the proposed regulations published in the Federal Register on December 17, 1985 (50 FR 51413) are adopted without change as set forth below.

Dated: May 20, 1986.

Harry H. Flickinger,
Acting Assistant Attorney General for Administration.

PART 16—[AMENDED]

1. The authority for Part 16 continues to read as follows:

Authority: 28 U.S.C. 509, 510; 5 U.S.C. 301, 552, 552a; 31 U.S.C. 483a unless otherwise noted.

2. Section 16.101 is amended by revising the introductory text of paragraph (a); by redesignating paragraphs (b)(4) through (b)(9) as paragraphs (b)(5) through (b)(10); by adding a new paragraph (b)(4); and by revising paragraphs (d) (5) through (7) and (d)(9) and paragraphs (f)(4) through (f)(9).

§ 16.101 Exemption of U.S. Marshals Service Systems—Limited Access, as indicated.

(a) The following system of records is exempt from 5 U.S.C. 552(a)(3) (3) and (4), (d), (e) (1), (2) and (3), (e)(4) (G) and (H), (e)(5), (e)(8), (f) and (g):

* * * * *

(b) * * *

(4) From subsections (e)(1) and (e)(5) because the requirements of these subsections would present a serious impediment to law enforcement in that it is impossible to determine in advance what information collected during an investigation will be important or crucial to the apprehension of Federal fugitives. In the interest of effective law enforcement, it is appropriate in a thorough investigation to retain seemingly irrelevant, untimely, or inaccurate information which, with the passage of time, would aid in establishing patterns of activity and provide investigative leads toward fugitive apprehension and assist in law enforcement activities of other agencies.

* * * * *

(d) * * *

(5) From subsection (e)(3) for the reason stated in (b)(6) of this section.

(6) From subsection (e)(4) (G) and (H) for the reason stated in (b)(7) of this section.

(7) From subsection (e)(8) for the reason stated in (b)(8) of this section.

* * * * *

(9) From subsection (g) for the reason stated in (b)(10) of this section.

* * * * *

(f) * * *

(4) From subsection (e)(2) because the requirement that information be collected to the greatest extent practicable from the subject individual would present a serious impediment to law enforcement because the subject of the investigation or prosecution would be placed on notice as to the existence of the investigation and would therefore be able to compromise the investigation and avoid detection or apprehension.

(5) From subsection (e)(3) for the reason stated in (b)(6) of this section.

(6) From subsections (e)(4) (G) and (H) for the reason stated in (b)(7) of this section.

(7) From subsection (e)(8) because the individual notice requirement of this subsection would present a serious impediment to law enforcement in that the subject of the investigation would be alerted as to the existence of the investigation and therefore be able to compromise the investigation and avoid detection, subpoena, etc.

(8) From subsection (f) because procedures for notice to an individual pursuant to subsection (f)(1) as to the existence of records dealing with investigations of criminal or civil law violations would enable the individual to compromise the investigation and evade detection or apprehension. Since an exemption is being claimed for subsection (d) of the Act, the rules required pursuant to subsections (f)(2) through (f)(5) are not applicable to this system.

(9) From subsection (g) for the reason stated in (b)(10) of this section.

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[FR Doc. 86-12523 Filed 6-3-86; 8:45 am]

BILLING CODE 4410-04-M

DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 806b

Privacy Act Program

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Final rule.

SUMMARY: The Department of the Air Force is revising Part 806b—Privacy Act Program. This revision simplifies procedures for answering Privacy Act requests, restores the distinction between Freedom of Information (FOIA) and Privacy Act requests and deletes two exemptions. It implements 5 U.S.C. 552a (Pub. L. 93-579), and DOD Directive 5400.

EFFECTIVE DATE: June 4, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. Updike, Department of the Air Force, HQ USAF/DAQD, Washington, D.C. 20330, telephone (202) 694-3488.

SUPPLEMENTARY INFORMATION: Because this regulation implements a higher authority directive it was not published as proposed for public comments. It is published as a final rule for information purposes. The Department of the Air Force has determined that this regulation is not a major rule as defined by Executive Order 12291; is not subject

to the relevant provisions of the Regulatory Flexibility Act of 1980 (Pub. L. 96-354); and does not contain reporting or recordkeeping requirements under the criteria of the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

List of Subjects in 32 CFR Part 806b

Privacy, Records.

Title 32 CFR Part 806b is revised to read as follows:

PART 806b—AIR FORCE PRIVACY ACT PROGRAM

Sec.

806b.0. Purpose.

Subpart A—The Privacy Act Program

806b.1. Air Force Policy.

806b.2. Terms defined.

806b.3. Access authorities.

806b.4. Judicial sanctions.

Subpart B—Collecting Personal Information

806b.5. Privacy Act Statements (PAS).

Subpart C—Maintaining Systems of Records

806b.6. Air Force standards.

806b.7. Personal notes.

Subpart D—Providing Information

806b.8. Access by subjects of records.

806b.9. Disclosures to third parties and organizations.

Subpart E—Privacy Act Exemptions

806b.10. Use of exemptions.

806b.11. General Exemptions.

806b.12. Specific exemptions.

806b.13. General and specific exemptions.

Authority: 5 U.S.C. 552a, Pub. L. 93-579.

§ 806b.0 Purpose.

This part sets policies and outlines procedures that govern collecting, safeguarding, maintaining, using, accessing, amending, and disseminating personal information kept by the Department of the Air Force in systems of records. This part applies to all Air Force activities, including the Reserve Components, except for the Office of the Chief, National Guard Bureau; Air National Guard technicians; and Army-Air Force Exchange Service activities, including Motion Picture Service activities. It does not apply to civilian employee records maintained by Air Force activities which are covered by the Office of Personnel Management systems of records. Such records are subject to Parts 293, 294, and 297 of Office of Personnel Management regulations and the Federal Personnel Manual and Air Force supplements.

Subpart A—The Privacy Act Program

§ 806b.1 Air Force policy.

Air Force policy is to:

(a) Protect personal privacy as required by the Privacy Act of 1974. The Privacy Act and this part apply only to information in systems of records on living U.S. citizens and aliens admitted as permanent residents of the United States.

(b) Collect, maintain, and use information in such systems only to support programs authorized by law or Executive order.

(c) Ensure that records in these systems are timely, accurate, complete, and relevant, amending on request any record which does not meet these requirements.

(d) Let individuals know about and see or get copies of their own records in systems unless the Secretary of the Air Force (SAF) has approved an exemption, or the records were created in anticipation of civil action or proceeding.

(e) Safeguard records in systems.

(f) Provide a review of decisions that deny individuals access to or amendment of their records.

(g) Keep records the minimum time required to protect the rights and provide for the needs of the individual and the U.S. Government.

§ 806b.2. Terms defined:

(a) *Access*. The process of letting individuals see or get copies of their records from a system of records.

(b) *Agency*. The Department of Defense (DOD) for disclosures from systems of records. Any record may be disclosed to any component for a use compatible with the purpose for which the record was created. The Air Force is an agency for all other actions under the Privacy Act including access and amendment requests and appeals.

(c) *Confidential source*. Any person or organization that has given information under an:

(1) Expressed promise to withhold their identity; or

(2) Implied promise of confidentiality made before September 27, 1975.

(d) *Confidentiality*. A promise to withhold the identity of a source or the information provided. The information must be for use in an exempt system. This promise must be expressed and recorded.

(e) *Disclosure*. Giving information from a system, by any means, to anyone other than the subject.

(f) *Individual*. A living U.S. citizen or a permanent resident alien. The deceased, non-resident aliens, businesses, and third parties have no rights under the Privacy Act. However, a parent or guardian may exercise Privacy Act rights for a minor or incompetent person.

(g) *Maintain*. To collect, keep, use, or disseminate records.

(h) *Minor*. Anyone under the age of majority according to the law of the state where the records are located. If there is no state law, a minor is anyone under the age of 18. Military members and married persons are not minors.

(i) *Official use*. Any action by a Department of Defense member or employee to perform a mission or function prescribed or authorized by law or regulation.

(j) *Personal information*. All information about an individual except for matters of public record. Some examples of personal information are all medical files, financial records except for gross pay, criminal records except the findings of a court-martial, and details on a person's private life. Information about an individual's official duties is normally not personal.

(k) *Privacy Act request*. A request by an individual about the existence of, access to, or amendment of, a record about him or her that is in a system of records. The request must show dependence on the Privacy Act.

(l) *Record*. Any item, collection, or grouping of information about an individual.

(m) *Routine use*. Any disclosure outside of Department of Defense from a system for a use that is compatible with the purpose for which the record was created. Routine uses must be shown in the systems notice. These notices are published in the *Federal Register* and *AFP 12-36, Privacy Act Systems of Records*.

(n) *Statistical records*. A record kept only for statistical or reporting purposes. It is not used for making judgments about persons. Individual identity must not be discoverable using routine statistical or data manipulation methods.

(o) *System manager*. The official who initiates a system of records and issues policies and procedures for operating and safeguarding a system. Local systems managers operate such systems or are responsible for a segment of a decentralized system.

(p) *System of records*. Any group of records from which personal information is retrieved by name or personal identifier (See paragraph (l) of this section.) A record in a system of records must contain two elements, a personal identifier and at least one item of personal information. This identifier is some name, number, or symbol which is unique to the individual. The most often used personal identifiers in the Air Force are name and Social Security number (SSN). If a retrieval is possible

but not actually done, or if it depends on memory, the group is not a system of records. However, creating a retrieval or cross index, arranged by personal identifier for randomly filed records, makes that collection a system.

(q) *Workday or day.* A duty day, not including Saturdays, Sundays, and Federal holidays.

§ 806b.3 Access authorities.

The system manager, or individual or position designated in the system notice to receive requests is the access authority.

§ 806b.4 Judicial sanctions.

The Privacy Act has both civil remedies and criminal penalties for violations.

(a) *Civil remedies.* An individual can file a civil suit against the Air Force for failing to comply with the Privacy Act.

(b) *Criminal penalties.* Personnel may be found guilty of a misdemeanor and fined not more than \$5,000 for willfully:

- (1) Maintaining a system without meeting the public notice requirements.
- (2) Disclosing information from a system to someone who is not entitled to have it knowing that disclosure is prohibited.

(3) Obtaining another's record from a system under false pretenses.

Subpart B—Collecting Personal Information

§ 806b.5 Privacy Act Statements (PAS).

Give PASs to individuals you ask to provide information about themselves which will go into a system of records. Do this regardless of how you collect or record the answers. You may read the statement or display a sign in area where people are often asked for the same type of information. However, a printed copy must be given out if the subject asks for one. A PAS is not required if the information will not go into a system of records or if it will go into a SAF exempted criminal investigative system. A PAS must show:

(a) The citation and title of the law or Executive Order that authorizes the program the system supports and the Air Force or lower level standard publications which covers the system. All systems of records must be governed by a standard publication.

(b) The principal purposes for the system. The reasons why the Air Force needs the information.

(c) The routine uses of the information. What disclosures, if any, will be made outside of DOD.

(d) Whether furnishing the information is mandatory or voluntary. An answer is mandatory only if the

information is essential to an Air Force mission, and if failure to answer could make the person liable to some specific penalty.

(e) What will happen to an individual who does not respond. PASs are not to be signed and the language in them must be nonthreatening. These statements may be printed in simple paragraph form without separation of the five parts.

Subpart C—Maintaining Systems of Records

§ 806b.6 Air Force standards.

Records on individuals must be as accurate, relevant, timely, and complete as is reasonably necessary to make fair and informed decisions about them. Systems of records must be:

- (a) Authorized by law or Executive Order.
- (b) Controlled by an Air Force or lower echelon directive.
- (c) Needed to carry out an Air Force mission or function.
- (d) Described in a notice published in the Federal Register.

§ 806b.7 Personal notes.

Personal notes which are maintained on individuals as memory aids in the performance of supervisory or other official functions are not subject to the notice, access, or amendment provisions of the Privacy Act if both of the following conditions are met.

- (a) The notes remain under the control of the originator and are never made available to any other person in the course of official business.
- (b) The notes are not required by any Air Force directive, and they may be retained or disposed of as the originator sees fit.

Subpart D—Providing Information

§ 806b.8 Access by subjects of records.

Individuals may ask if the Air Force has any records on them. The Privacy Act gives rights of access and amendment for records in a system of records.

(a) *Privacy Act requests.* To be considered under the Privacy Act, a request must:

- (1) Come from the subject of a record in a system of records, or from a designated agent or guardian. The subject must be a U.S. citizen or permanent resident alien.
- (2) Cite the Privacy Act or at least show an awareness of the law and its requirement to provide an individual access to his or her records. For example it could be addressed to the Privacy Act officer or the system manager or cite the Privacy Act.

(3) Reasonably describe the records sought. The request does not have to name the system, but it should be fairly specific. Do not accept blanket requests for "all records about me." Instead, refer the individual to AFP 12-36 or the Federal Register and ask the requester to identify at least the types of records sought.

Note: Privacy Act requests are personal and not official business. Requests received on official letterhead, except for those from an area defense counsel, should be returned. No one may be penalized or harassed for exercising their rights under the Privacy Act. The Air Force will provide all reasonable aid to individuals exercising their rights.

(4) Requests which do not cite or refer to the Privacy Act, or are for information which is not in a system of records, are not processed under this part.

(b) *FOIA requests.* Request made under the FOIA or Part 806 of this chapter are processed as FOIA requests. Privacy Act exemptions must not be used to deny records under the FOIA. FOIA exemptions cannot be used to deny anyone any record which would be available under the Privacy Act. No person will be denied access to a record for failure to cite the proper act. FOIA requests must not be listed on the annual Privacy Act report.

(c) *Privacy Act requests for investigative records.* Requests for investigative records subject to the (j)(2) general exemption will be processed under both acts. Tell the individual in writing what records are exempt under the Privacy Act and that you are providing records, if any, which would be available under the FOIA. Clearly explain the reasons for this action in your reply.

(d) *Access requests that cite both the Privacy Act and the FOIA.* Use the act that gives the most information. This may mean processing part of the request under one act and part under another. Explain in your reply which act you are using in each case and why.

(e) *Functional requests.* Other directives give individuals access to records. If a person asks for his or her records and does not cite, or reasonably imply, the Privacy Act or the FOIA, and another directive authorizes the release of the records, use that directive as the releasing authority. Apply the fee schedule in Part 813 of this chapter.

(f) *Processing access requests—(1) Verifying identity.* Local system managers must verify the identity of all requests unless the record sought is available to anyone under the FOIA. Individuals do not have to state a reason for the request, nor can the request be denied if that person does not

give his or her SSN, unless disclosure of the SSN is required by Federal Statute or by a regulation adopted before January 1, 1975.

(2) *Notifying the requester.* Once the requester's identity is verified:

(i) Tell the individual if there is a record in a system of records about him or her, and when and where it may be reviewed. If possible, this should be done within 10 workdays from the date the request was received.

(ii) Let the subject see the record, or obtain one copy, unless the system is exempt and listed in Section 806b.13. Usually this should be done within 30 workdays from the date the request was received.

(A) If the requester wants to bring another person, the local system manager may ask for written consent for the other individual to be present during any review of the record.

(B) Do not create a new record simply to fulfill a request. The record must exist at the time of the request. However, do not deny a record just because it is not readily available in a convenient form. Information on magnetic or computer tape should be given in a format the requester can understand.

(iii) If you cannot answer the request in 10 workdays, tell the requester why in a letter and give an approximate completion date. That date should be no more than 20 workdays after the first Air Force office received the request. Send a copy of this letter to HQ USAF/DAQD through Privacy Act channels.

(3) *Fees.* When providing copies of records under the Privacy Act, charge only for the direct cost for reproduction.

(i) Use the following fee schedule:

Office copy (per page), 10 cents.
Microform media (paper copy) (per image), 25 cents.
Microfiche (per fiche), 95 cents.

(ii) Do not charge fees for:

(A) Searching records.

(B) Reproducing a document for the convenience of the Air Force.

(C) Reproducing a record only in order to let a requester review it. If he or she wants a personal copy, use the fees in paragraph (f)(3)(i) of this section.

(iii) Waive the fee, if the total amount is less than \$30. Do not waive the fee when a previous waiver has been granted and subsequent requests appear to be an extension or duplication of the original request.

(iv) Locally determine fees for reproducing photographs or nonpaper material other than microform.

(4) *Denying access.* If the record should not be released, the local system manager sends a copy of the request, a copy of the record (or records), and the

reasons for recommending denial (including the exemption being applied) to the denial authority through the local Privacy Act officer and the MAJCOM or SOA Privacy Act officer. Staff Judge Advocate (SJA) coordination is required. This should be done within 5 workdays from the date the request was received.

(i) *Record evaluation.* A record may not be withheld just because it is in an exempt system. Before recommending denial, the local system manager must determine that:

(A) The system is covered by an exemption approved by SAF and listed in § 806b.13.

(B) Each document is covered by the exemption, because all parts of a system are not automatically exempt.

(C) No nonexempt parts can be reasonably segregated.

(ii) *Medical records.* If a practitioner believes that access to a medical record by the subject could harm that person's mental or physical health, ask the requester to name a practitioner to receive the record. If this requirement poses a hardship on the individual, offer the service of a military practitioner other than the one who provided treatment. If the individual refuses to name a recipient, the record will not be released. This is not a denial under the Privacy Act and is not appealable.

(iii) *Third party information.* Third party information may not be deleted from a record when the subject requests access to the record unless there is an established exemption published in § 806b.13. This is because all information in a file must be presumed to pertain to the subject of the file. However, personal data such as SSNs and home addresses of third parties usually do not pertain to the subject of the record and, therefore, need not be released. This is not a denial under the Privacy Act and cannot be appealed.

(iv) *Information compiled for litigation.* Records in a system compiled in connection with a civil action or other proceeding may be withheld. This includes any action where judicial or administrative adjudicatory proceedings may reasonably be anticipated.

Attorney work products prepared in support of such proceedings are not usually released under the Privacy Act at any point before, during, or after termination of the action or proceeding.

(v) *Denial authority action.* (A) The MAJCOM or SOA Privacy Act officer reviews the proposed denial, asks for written advice from the servicing SJA and the office responsible for the program under which the record was created, and makes a recommendation to the denial authority.

(B) The denial authority sends the requester a letter stating whether or not access will be granted. If the denial authority decides to grant access, he or she instructs the local system manager to release the record. If the denial authority denies access, he or she must tell the requester why, and that the decision may be appealed to SAF not later than 60 calendar days after receipt of the denial letter. Tell the requester to resubmit the original request and send any supporting material to the denial authority for forwarding to HQ USAF/DAQD for processing. The requester should be cautioned that failure to follow this procedure may delay the appeal.

(g) *Amendment requests.* Individuals may ask the Air Force to amend records about them that are in a system of records. The request must seek to change, delete, or add material to make a record accurate, timely, relevant, or complete. Requests for amendment of a record that is subjective, or involves a matter of opinion or interpretation will not be processed under this part. Return such a request and tell the individual to submit it either to the Air Force Board for the Correction of Military Records according to Part 865 Subpart A of this chapter, to follow grievance procedures in AFR 40-771. Coordinate these returns with the director of personnel. Record correction requests which have been denied by the Air Force Board for the Correction of Military Records, acting for the Secretary of the Air Force, are not subject to further consideration under this part.

(1) Requests for minor corrections may be made orally. All others must be written.

(2) Local system managers routinely correct any record if the requester can show it is factually wrong. After verifying identity, the local system manager makes the change, notifies all known recipients of the record, and informs the individual when the correction is made.

(3) If the local system manager decides not to amend or partially amend the record, he or she sends a copy of the request, a copy of the record (or records), and the reasons for this action to the denial authority through the base and the MAJCOM or SOA Privacy Act officers. SJA coordination is required. This must be done within 5 workdays from receipt of the request.

(i) The MAJCOM or SOA Privacy Act officer reviews the proposed denial, asks for written advice from the servicing SJA and the office responsible for the program under which the record

was created and makes recommendation to the denial authority.

(ii) The denial authority sends the requester a letter stating whether or not the amendment or partial amendment will be granted. If the denial authority decides to amend or partially amend the record, he or she tells the local system manager to amend the record and notify all subsequent recipients of the change. If the denial authority denies the amendment request, he or she must tell the requester why, and that the decision may be appealed to SAF not later than 60 calendar days after receipt of the denial letter. The requester is told to resubmit the original request and to send any supporting material to the denial authority for forwarding to HQ USAF/DAQD for processing. The requester should be cautioned that failure to follow this procedure may delay the appeal.

(h) *Appeals of denials to grant access or to amend records*—(1) *Request for Secretarial review.* An individual may request a review of the denial by writing to SAF not later than 60 calendar days after the denial is received. The request should be addressed to SAF/AA, and sent back to the denial authority for forwarding to HQ USAF/DAQD for processing. The denial authority sends a complete file arranged as follows:

- (i) The request for review.
- (ii) The original request for access or amendment.
- (iii) The original denial.
- (iv) A copy of the record or portions in question.
- (v) Any internal records or coordination actions that relate to the denial.
- (vi) Denial authority comments on the appellant's arguments.
- (vii) A legal review prepared by the SJA servicing the denial authority.

(2) *Responsibilities for Review.* (i) HQ USAF/DAQD reviews the denial and makes a recommendation to the Office of the Vice Chief of Staff (HQ USAF/CV). HQ USAF/JACM coordination is required.

(ii) HQ USAF/CV decides whether to direct the denial authority to grant access or to amend the record. If HQ USAF/CV decides to uphold a denial, this recommendation is passed to SAF/AA through the Office of the General Counsel (SAF/GC) for final action.

(iii) SAF/AA considers the recommendation to uphold a denial, decides to grant or deny the appeal, and notifies both the individual and the denial authority of the decision. If SAF/AA upholds a denial to amend a record, the individual must be told of his or her right to send a statement of disagreement to the system manager.

(3) *Requests for Secretarial review.* These requests must be completed within 30 workdays after the date HQ USAF/DAQD received the appeal.

Note: Appeals for denial of access to law enforcement records subject to the (j)(2) exemption are processed under this part and Part 806 of this chapter since the original action should have been taken under both.

(i) *Statements of disagreement.* If an individual submits a statement of disagreement with a SAF/AA decision not to amend his or her record, the local system manager:

- (1) Flags the record so that the disagreement may be seen by anyone who discloses or gains access to the record.
- (2) Files the statement with the record. If this is not possible, the local system manager maintains it to allow ready retrieval when the disputed portion of the record is used.

(3) Tells previous recipients that the record has been disputed and, if they can be identified, gives them a copy of the statement.

(4) Lets subsequent users know that the record is disputed and gives them a copy of the statement along with the record. The system manager may include a brief summary of the reasons for not amending the record. Summaries are limited to the reasons SAF/AA gave to the individual. The summary is treated as a part of the individual's record, but is not subject to the amendment procedures.

§ 806b.9 Disclosures to third parties and organizations.

The fact that the Air Force tells an individual why the information is collected and how it will be used does not imply consent for release. When deciding to release information as authorized in paragraph (a) through (c) of this section, first consider the consequences of that disclosure. Before releasing any information, make a reasonable effort to ensure that it is accurate.

(a) *With consent of the subject.* You may disclose information from a system of records if the subject of the record asks you to do so or has given prior written consent. Make sure that no law or directive prohibits release. See AFR 11-24 on release of individual home telephone numbers and home addresses from unit locators.

(b) *Without consent of the subject.* An individual's records may be disclosed without his or her consent to:

(1) DOD officials and employees who need the record to perform their duties when the use is compatible with the purpose for which the record is maintained.

(2) The public, as required by the FOIA. See part 806 of this chapter.

(i) Some examples of information that may normally be released for individual military personnel without an unwarranted invasion of privacy are: Name; grade; marital status; number and sex of dependents; date of rank; gross pay (base pay and entitlements); present and past duty assignments and future assignments that are firm (except overseas); office and unit address and phone number; source of commission; professional military education, civilian educational degrees and major areas of study, school, and year of graduation; promotion sequence number; awards and decorations; duty status at any given time; official photograph without the identification frame; and home of record, without street address. Lists of names, home and duty addresses, and telephone numbers of military members must not be provided in any form for solicitation regardless of the intent of the solicitation unless otherwise provided for by law or this part. See Federal Personnel Manual Supplement 990-1, part 294, on release of civilian personnel information.

(ii) A balancing test may be used to decide whether disclosure would be a clearly unwarranted invasion of individual privacy. Weigh the right of the subject to a reasonable expectation of privacy versus the public right to know. Consider the nature of the information to be disclosed. Do individuals usually expect this information to be kept private? Are the identities of the subject and the recipient already in the public eye? What is likely to happen to the individual as a result of the disclosure? How old is the information; is it still relevant? To what degree is the information already in the public domain?

(iii) Information may be released if the balancing test described above weighs in favor of disclosure. For example, home addresses may be disclosed to a requester who wants to enforce a court order for alimony or child support payments, or to local and state tax authorities to enforce tax laws.

(iv) Individuals must be allowed to decide if they wish their home addresses and phone numbers included in base directories.

(3) Agencies outside DOD for a routine use that has been listed in the notice describing the system of records published in the **Federal Register**. The routine use must be compatible with the purpose for which the information was collected.

(4) The Bureau of the Census to plan or carry out a census or survey under Title 13, U.S.C.

(5) A recipient for statistical research or reporting. The recipient must give advance written assurance that the record will be used solely as a statistical research or reporting record. The record must not be used, in whole or part, to make any decisions about the individual's rights, benefits, or entitlements. It must be sent in a form in which the identity of the individual cannot be found out through usual research methods.

(6) The National Archives of the United States as a record with enough value to warrant permanent retention, or for evaluation by the Archivist of the United States to see if the record has such value. However, records sent to Federal Archives and Records Centers for storage stay under Air Force control. These transfers are not disclosures under this section and do not need an accounting.

(7) A Federal, state, or local agency outside DOD for a civil or criminal law enforcement activity authorized by law. The head of the agency or a designee must send a written request to the system manager. The request must specify the record or part needed and the law enforcement purpose for which it is wanted. A record may also be disclosed to a law enforcement agency if a criminal violation is suspected. This disclosure is a routine use for all Air Force systems of records and has been published in the Federal Register.

(8) Another individual or agency under compelling circumstances that affect the health or safety of an individual. The individual whose records are disclosed does not have to be the one in danger. For example, records on several individuals could be disclosed to identify individuals injured in an accident. When an individual record is disclosed in this way, the subject must be sent a notification of disclosure to the last known address.

(9) Either House of Congress (a congressional committee or subcommittee) for matters within their jurisdictions.

(10) A congressional office acting for a constituent who is the record subject. This disclosure is authorized by a published blanket routine use.

(11) The Comptroller General or any authorized representatives on business of the General Accounting Office.

(12) A court of competent jurisdiction that has ordered the disclosure of the record. When a record is disclosed, reasonable efforts must be made to notify the individual to whom the record

pertains, if the legal process is a matter of public record.

(13) A consumer credit agency according to the Debt Collection Act. This provision applies to the Air Force Accounting and Finance Center only.

(14) A contractor who is operating a system of records under a contract to perform an Air Force function. In this case, the contractor is considered an employee of the Air Force for Privacy Act purposes, and the system of records is considered an Air Force system. Disclosure of records to the contractor does not need the subject's consent nor does it require an accounting. Records maintained by the contractor for the management of contractor employees are not subject to the Privacy Act.

(c) *Medical records of minors.* The medical records of minors may be disclosed to the parents or legal guardians of the minor. However, the following conditions apply:

(1) The law of the state in which the records are located may protect certain types of medical records that deal with drug or alcohol abuse treatment, abortion, and birth control advice or devices. Such laws must be observed. Medical records custodians in the United States must be knowledgeable of local laws and coordinate any proposed local policies with their servicing SJA.

(2) Parents or guardians are not allowed to see the medical records of a minor when all four of the following conditions apply:

(i) The minor was between 15 and 17 years of age at the time he or she sought or consented to the treatment.

(ii) The treatment was sought in a program authorized by regulations or law to offer confidentiality of treatment records as a part of the program.

(iii) The minor specifically requested or indicated that he or she wished his or her treatment record to be handled with confidence and not released to a parent or guardian.

(iv) The parent or guardian seeking access does not have the written authorization of the minor or a valid court order for access.

Subpart E—Privacy Act Exemptions

§ 806b.10 Use of Exemptions.

SAF can exempt systems of records from parts of the Privacy Act. The two kinds of exemption are: General and specific. The general exemption frees systems from most parts of the Privacy Act; the specific from only a few parts.

§ 806b.11 General Exemptions.

(a) SAF has approved a general exemption for investigative systems used by activities whose principal

function is criminal law enforcement. These include the SJA, and investigative and correctional activities. All records in such a system come under the exemption which will be observed and cannot be waived. This exemption is in subparagraph (j)(2) of the Privacy Act. It only applies to systems used to:

(1) Identify criminals and alleged criminals, with identity; arrests; type and disposition of charges; sentences, confinement and release records; and parole and probation status.

(2) Support criminal investigations (including efforts to prevent, reduce, or control crime) and reports of informants and investigators that identify an individual.

(3) Reports on an individual, compiled at any stage of the law enforcement process.

(b) The Air Force observes only subsections (b); (c)(1) and (2); (e)(4)(A) through (F); (e)(6), (7), (9), (10), and (11); and (i) of the Privacy Act.

§ 806b.12 Specific exemptions.

(a) SAF has approved specific exemptions for all classified and a few other systems. These exemptions must be observed and cannot be waived. The Privacy Act citation appears in parentheses after each type below.

(1) Classified information in any system of records. Before denying access, make sure that the record is currently and properly classified and cannot be declassified ((k)(1)).

(2) Law enforcement records (other than those covered by the general exemption). However, the Air Force must allow access to any record which was used to deny someone a right, privilege or benefit, unless doing so would reveal a confidential source ((k)(2)).

(3) Statistical records required by law. The data must be used only as statistics and not to make decisions on the rights, benefits, or entitlements of individuals ((k)(4)).

(4) Data to determine suitability, eligibility, or qualifications for Federal service or contracts, or access to classified information. The Air Force can withhold this if access would reveal a confidential source ((k)(5)).

(5) Qualification tests for appointment or promotion in the federal service. The Air Force may withhold these if access would compromise the objectivity of the tests ((k)(6)).

(6) Information to determine promotability in the Armed Forces. The Air Force may withhold this if access would reveal a confidential source ((k)(7)).

(b) A specific exemption may free a system from any of the following parts of the Privacy Act: subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f).

§ 806b.13. General and specific exemptions.

(a) *General exemption.* The following systems of records are exempt under 5 U.S.C. 552a(j)(2):

- (1) Counter Intelligence Operations and Collection Records, F124 AF A.
- (2) Criminal Records, F124 AF C.
- (3) Incident Investigation Files, F125 AF SPE.
- (4) Investigative Support Records, F124 AF D.

(5) Correction and Rehabilitation Records, F125 AF A (that portion maintained by the 3320th Correction and Rehabilitation Squadron, but only for the period the individual is confined or in rehabilitation at an Air Force or Federal correctional facility).

(6) Management Information and Research System (MIRS), F125 ATC A (but only for the period the individual is confined or in rehabilitation at an Air Force or Federal correctional facility).

(b) *Specific exemptions.* The following systems of records are subject to the specific exemptions shown:

(1) *Classified records.*

(i) *Exemption.* All records in any systems of records that are properly classified according to Executive Orders 11652, 12065 or 12356, are exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4)(G), (H), and (I); and (f), regardless of whether the entire system is otherwise exempt or not.

(ii) *Authority.* 5 U.S.C. 552a(k)(1).

(2) *Admissions and Registrar Records (F053 AFA C).*

(i) *Exemption.* Parts of this system of records (Liaison Officer Evaluation and Selection Panel Candidate Evaluation) are exempt from 5 U.S.C. 552a(d), (e)(4)(H), and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* To ensure the frankness of information used to determine whether cadets are qualified for graduation and commissioning as officers in the Air Force.

(3) *Air Force Personnel Test 851, Test Answer Cards (F035 MPC R).*

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f).

(ii) *Authority.* 5 U.S.C. 552a(k)(6).

(iii) *Reasons.* To protect the objectivity of the promotion testing

system by keeping the test questions and answers in confidence.

(4) *Cadet Personnel Management System (F035 AFA A).*

(i) *Exemption.* Parts of this system are exempt from 5 U.S.C. 552a(d), (e)(4)(H), and (f), but only insofar as disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(7).

(iii) *Reasons.* To maintain the candor and integrity of comments needed to evaluate an Air Force Academy cadet for commissioning in the Air Force.

(5) *Cadet Records (F045 ATC C).*

(i) *Exemption.* Portions of this system (Detachment Professional Officer Course (POC) Selection Rating Sheets; Air Force Reserve Officer Training Corps (AFROTC) Form 0-24—Disenrollment Review; Memoranda for Record and Staff Papers with Staff Advice, Opinions, or Suggestions) are exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G) and (H), and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* To protect the identity of a confidential source who furnishes information necessary to make determinations about the qualifications, eligibility, and suitability of cadets for graduation and commissioning in the Air Force.

(6) *Child Advocacy Case Files (F168 AF SG B).*

(i) *Exemption.* Parts of this system are exempt from 5 U.S.C. 552a(c)(3) and (d), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k) (2) and (5).

(iii) *Reasons.* To encourage those who know of child abuse or neglect to come forward by protecting their identities, and to protect the integrity of ongoing and civil law investigations of criminal and civil law violations. Giving subjects access to their files could result in them concealing, altering, or fabricating evidence; could hamper the identification of offenders and alleged offenders; and could jeopardize the safety and well-being of parents and their children.

(7) *Effectiveness/Performance Reporting Systems (F035 AF MP A).*

(i) *Exemption.* The parts of this system that have completed AF Forms 705, Lieutenant Colonel Promotion Recommendation Report; and AF Forms 706, Colonel Promotion Recommendation Report; are exempt

from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(7).

(iii) *Reasons.* To ensure that selection boards have candid evaluations of officers being considered for promotion to the grades of Colonel and Brigadier General.

(8) *Equal Opportunity in Off-Base Housing (F030 AF LE A).*

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f).

(ii) *Authority.* 5 U.S.C. 552a(k)(2).

(iii) *Reasons.* To enforce civil laws, court orders, and the activities of the Departments of Housing and Urban Development and Justice.

(9) *Files on General Officers and Colonels Assigned to General Officer Positions (F035 MP A).*

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(7).

(iii) *Reasons.* To protect the integrity of information used in the Reserve Initial Brigadier General Screening Board, the release of which would compromise the selection process.

(10) *General Officer Personnel Data System (F035 AF MP P).*

(i) *Exemption.* The parts of this system that have completed AF Forms 78, Air Force General Officer Effectiveness Report, are exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(7).

(iii) *Reasons.* To ensure selection boards get candid evaluations of officers being considered for promotion to Major General, Lieutenant General, and General.

(11) *Historical Airman Promotion Master Test File (F035 MPC L).*

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f).

(ii) *Authority.* 5 U.S.C. 552a(k)(6).

(iii) *Reasons.* To protect the integrity, objectivity, and equity of the promotion testing system by keeping test questions and answers in confidence.

(12) Inspector General Records (F120 AF IG B).

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f). However, if a person is denied any right, privilege, or benefit, he or she would otherwise be entitled to as a result of keeping this material, it must be released, unless doing so would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(2).

(iii) *Reasons.* Granting individuals access to information collected while an Inspector General inquiry is in progress could interfere with the just, thorough, and timely resolution of the complaint or inquiry and could possibly enable individuals to conceal wrong doing or mislead the inquiring officer. Disclosure might also subject sources, witnesses, and their families to harassment or intimidation.

(13) Investigative Applicant Processing Records (F124 AFOSI B).

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* To protect those who gave information in confidence during Air Force Office of Special Investigations (AFOSI) applicant inquiries. Fear of harassment could cause sources not to make frank and open responses about applicant qualifications. This could compromise the integrity of the AFOSI personnel program that relies on selecting only qualified people.

(14) Master Cadet Personnel Record (Active/Historical) (F035 AFB B).

(i) *Exemptions.* Parts of these systems are exempt from 5 U.S.C. 552a(d), (e)(4)(H), and (f), but only to the extent that they would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(7).

(iii) *Reasons.* To maintain the candor and integrity of comments needed to evaluate a cadet for commissioning in the Air Force.

(15) Sensitive Compartmented Information Personnel Records (F205 AFIS A).

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(a)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a (k)(2) and (k)(5).

(iii) *Reasons.* To protect the identity of sources to whom proper promises of confidentiality have been made during investigations. Without these promises, sources will often be unwilling to provide information essential in adjudicating access in a fair and impartial manner.

(16) Security and Related Investigative Records (F124 AFB).

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* To protect the identity of those who give information in confidence for personnel security and related investigations. Fear of harassment could cause sources to refuse to give this information in the frank and open way needed to pinpoint those areas in an investigation that should be expanded to resolve charges of questionable conduct.

(17) Special Security Case Files (F205 AFSCO A).

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* To protect the identity of those who give information in confidence for personnel security and related investigations. Fear of harassment could cause sources to refuse to give this information in the frank and open way needed to pinpoint those areas in an investigation that should be expanded to resolve charges of questionable conduct.

(18) Special Security Files (F205 AF SP A).

(i) *Exemption.* This system is exempt from 5 U.S.C. 552a(c)(3); (d); (e)(4) (G), (H), and (I); and (f), but only to the extent that disclosure would reveal the identity of a confidential source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* To protect the identity of those who give information in confidence for personnel security and related investigations. Fear of harassment could cause them to refuse to give this information in the frank and open way needed to pinpoint areas in an investigation that should be expanded to resolve charges of questionable conduct.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[FRL-3025-3]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Final rulemaking.

SUMMARY: USEPA is approving a site-specific revision to the Illinois State Implementation Plan (SIP) for Carbon Monoxide (CO). This final rulemaking incorporates a January 24, 1985, Opinion and Order of the Illinois Pollution Control Board (PCB), PCB 84-147, into the SIP. This order grants Anderson Clayton Foods, Inc. (ACF) a variance from 35 Illinois Administrative Code 216.121, which governs CO emissions from the Fluidized Bed Combustor (FBC) retrofitted boiler at ACF's Jacksonville, Illinois, facility. This action is taken in response to a March 27, 1985, request from the State of Illinois.

USEPA proposed to approve this site-specific SIP revision on November 15, 1985 (50 FR 47234). No public comments were received on the proposed approval.

EFFECTIVE DATE: This final rulemaking becomes effective on July 7, 1986.

ADDRESSES: Copies of the SIP revision and other materials relating to this rulemaking are available at the following addresses for review: (it is recommended that you telephone Uylaine E. McMahan, at (312) 886-6031, before visiting the Region V Office.)

U.S. Environmental Protection Agency (5AR-26), Region V, Air and Radiation Branch, 230 South Dearborn Street, Chicago, Illinois 60604

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, DC 20460
Illinois Environmental Protection Agency, Division of Air Pollution Control, 2200 Churchill Road, Springfield, Illinois 62706

Copies of this revision to the Illinois SIP are available for inspection at: The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, DC

FOR FURTHER INFORMATION CONTACT: Uylaine E. McMahan, Regulatory Analysis Section, Air and Radiation Branch (5AR-26), U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

SUPPLEMENTARY INFORMATION: On March 27, 1985, the Illinois Environmental Protection Agency,