

28, 1999, at 10:30 p.m., unless sooner terminated by the Captain of the Port. The Captain of the Port will notify the public of changes in the status of this zone by Marine Radio Safety Broadcasts on VHF Marine Band Radio, Channel 22 (157.1 MHz).

(c) *Regulations.*

In accordance with the general regulations in § 165.23, entry into this zone by any vessel is prohibited unless authorized by the Captain of the Port New Orleans.

Dated: October 7, 1999.

**S.W. Rochon,**

*Captain, U.S. Coast Guard, Captain of the Port.*

[FR Doc. 99-28237 Filed 10-27-99; 8:45 am]

BILLING CODE 4910-15-U

## POSTAL RATE COMMISSION

### 39 CFR Part 3003

[Order No. 1269; Docket No. RM99-4]

#### Privacy Act; Implementation

**AGENCY:** Postal Rate Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is adopting previously-proposed revisions to its rules of practice implementing the Privacy Act of 1974. The substantive changes conform the rules to prevailing law. Editorial changes improve clarity.

**DATES:** Effective November 29, 1999.

**ADDRESSES:** Send correspondence regarding this document to the attention of Margaret P. Crenshaw, Secretary, Postal Rate Commission, 1333 H Street NW., Washington, DC 20268-0001.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, Postal Rate Commission, 1333 H Street NW., Suite 300, Washington, DC 20268-0001, 202-789-6820.

**SUPPLEMENTARY INFORMATION:** In Order No. 1256 (published at 64 FR 49120 on September 10, 1999), the Commission proposed revisions to its rules implementing the Privacy Act of 1974 (39 CFR part 3003). The proposed revisions clarified application of the rules and shortened and simplified the text. The Commission invited comments on its proposal, but no comments were received.

The Commission has reviewed its initial proposal, and has determined that adoption of the revisions as previously published is appropriate. Part I explains the changes. Part II summarizes the effect of the changes on organization of the rules. Part III sets out the final rules.

#### Part I—Background

The Commission's rules implementing the Privacy Act have been amended only in minor respects since their original adoption shortly after the passage of the Act in 1974. The current rules have operated adequately, but it is apparent on review that they are capable of both substantive and editorial improvement. Accordingly, the Commission adopts a redrafted set of rules to replace those currently contained in part 3003.

The substantive changes in the final rule conform them more closely to prevailing standards of Privacy Act administration without altering the rights of individuals or the obligations of the Commission under the Act. The special procedure for access to medical records contained in current § 3003.6, under which access to such records is contingent on the judgment of the Commission's chief administrative officer, is eliminated in favor of the general access provision in § 3003.4. Section 3003.2 eliminates some unnecessary definitions, links others to the text of the Privacy Act, and rewords other definitions slightly for the sake of clarity. Also for clarification, § 3003.1 adds a statement indicating that the Commission's Privacy Act rules are not intended either to broaden or narrow the scope of an individual's rights afforded by the Act.

The final rules alter the substance of the current rules pertaining to requests for individual records and appeals of denials only in minor ways, but they appreciably shorten and simplify the provisions. Language that does not relate directly to the exercise of rights by individuals under the Privacy Act, and thus is unnecessary, is not included in the final rules. Additionally, the language of the current rules is generally simplified and shortened without affecting individuals' exercise of their rights or the Commission's performance of its obligations under the Privacy Act.

#### Part II—Effect on Organization of the Commission's Rules

The set of revisions adopted here operate as a complete replacement for the existing rules.

#### Part III—Final Rule

The text of the final rule appears below.

Dated: October 22, 1999.

**Margaret P. Crenshaw,**  
*Secretary.*

#### List of Subjects in 39 CFR Part 3003

Administrative practice and procedure; Archives and records;

Privacy; Reporting and recordkeeping requirements.

For the reasons discussed in the preamble, 39 CFR part 3003 is revised as follows:

#### PART 3003—PRIVACY ACT RULES

Sec.

3003.1 Purpose and scope.

3003.2 Definitions.

3003.3 Procedures for requesting inspection, copying, or correction.

3003.4 Response to a request.

3003.5 Appeals of denials of access or amendment.

3003.6 Fees.

3003.7 Exemptions.

**Authority:** Privacy Act of 1974 (Pub. L. 93-579), 5 U.S.C. 552a.

##### § 3003.1 Purpose and scope.

This part implements the Privacy Act of 1974 (5 U.S.C. 552a) by establishing Commission policies and procedures that permit individuals to obtain access to and request amendment of information about themselves that is maintained in systems of records. This part does not expand or restrict any rights granted under the Privacy Act of 1974.

##### § 3003.2 Definitions.

For purposes of this part:

(a) *Commission* means the Postal Rate Commission.

(b) *Individual, record, and system of records* have the meanings specified in 5 U.S.C. 552a(a).

(c) *Day* means a calendar day and does not include Saturdays, Sundays, and legal holidays.

##### § 3003.3 Procedures for requesting inspection, copying, or correction.

(a) An individual who—

(1) Wishes to know whether a Commission system of records contains a record about him or her,

(2) Seeks access to a Commission record about him or her that is maintained in a system of records (including the accounting of disclosures), or

(3) Seeks to amend a record about him or her that is maintained in a system of records, may file a written request with the chief administrative officer of the Commission at the Commission's current address (1333 H Street NW., Suite 300, Washington, DC 20268-0001). The request should state on the outside of the envelope and in the request that it is a Privacy Act request.

(b) A request for amendment must describe the information sought to be amended and the specific reasons for the amendment.

(c) A requester—

(1) May request an appointment to inspect records at the Commission's offices between the hours of 8 a.m. and 4:30 p.m. on any day;

(2) Must present suitable identification, such as a driver's license, employee identification card, or Medicare card;

(3) If accompanied by another individual, must sign a statement, if requested by the chief administrative officer, authorizing discussion of his or her record in the presence of that individual;

(4) Who files a request by mail must include his or her date of birth, dates of employment at the Commission (if applicable), and suitable proof of identity, such as a facsimile of a driver's license, employee identification card, or Medicare card; and

(5) Must, if requested by the chief administrative officer, provide additional proof of identification.

#### § 3003.4 Response to a request.

(a) In the case of a request for notice of the existence of a record, the chief administrative officer shall respond within 10 days of receipt of a request and shall inform the individual whether a system of records maintained by the Commission contains such a record.

(b) In the case of a request for access to a record or for a copy of a record, the chief administrative officer shall acknowledge the request within 10 days and shall promptly thereafter—

(1) Fulfill the request by mail or arrange for an inspection by the requester in the Commission's offices; or

(2) If the request is denied, notify the requester of the denial, the reasons for the denial, the procedures for appealing the refusal, and the name and address of the Chairman of the Commission who will consider an appeal.

(c) In the case of a request for amendment, the chief administrative officer shall

(1) Acknowledge the request in writing within 10 days;

(2) Promptly review the record; and

(3)(i) Make any requested amendment of a record found to be not accurate, relevant, timely, or complete; notify the requester of the change and provide a copy of the corrected record; and notify any previous recipient of the record (excluding Commission staff who obtained the record in the performance of their duties and recipients under the Freedom of Information Act) of any change; or

(ii) Inform the requester of a refusal to amend the record, the reasons for the refusal, the procedures for appealing the refusal, and the name and address of the Chairman of the Commission who will consider an appeal.

#### § 3003.5 Appeals of denials of access or amendment.

(a) If a request for access to or amendment of a record is denied, the requester may file a written appeal with the Chairman of the Commission. The Chairman will decide each appeal within 30 days of receipt unless the Chairman has, for good cause, extended the period for another 30 days.

(b) If an appeal is denied, the requester will be notified of the decision, the reasons for the denial, the right to file a concise statement of disagreement, the procedures for filing a statement of disagreement, the subsequent uses of a statement of disagreement, and of the right to seek judicial review in accordance with subsection (g) of the Privacy Act.

#### § 3003.6 Fees.

The first copy of any record furnished under the Privacy Act of 1974 will be provided without charge. Additional copies will be charged at the cost of reproduction.

#### § 3003.7 Exemptions.

The Postal Rate Commission has not established any exempt system of records.

[FR Doc. 99-28125 Filed 10-27-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[TX-79-1-7328a, FRL-6459-8]

#### Approval and Promulgation of Implementation Plans; Texas; Repeal of Board Seal Rule and Revisions to Particulate Matter Regulations

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

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is taking direct final action approving revisions to the Texas Natural Resource Conservation Commission (TNRCC) regulations in the Texas State Implementation Plan (SIP). These revisions remove the Texas Air Control Board (TACB) Seal rule from the Texas SIP and revise and recodify regulations for control of particulate matter in the Texas SIP. Removal of the Board Seal rule eliminates a rule that no longer applies to TNRCC. These revisions to the particulate matter regulations update the SIP-approved regulations and make the SIP citations consistent with the current State citations.

**DATES:** This rule is effective on December 27, 1999 without further notice, unless EPA receives adverse comment by November 29, 1999. If EPA receives such comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD-L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Dallas, Texas 75202-2733.

Texas Natural Resource Conservation Commission, Office of Air Quality, 12124 Park 35 Circle, Austin, Texas 78753.

**FOR FURTHER INFORMATION CONTACT:** Bill Deese of the EPA Region 6 Air Planning Section at (214) 665-7253.

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we" is used, we mean EPA. Texas Regulation I in the SIP and revisions to Regulation I being approved in this action have undesignated headings. In this document, references to these undesignated heading are preceded by the word "concerning." This document makes many references to subsections of 40 CFR 52.2270. Section 40 CFR 52.2270 was moved to 40 CFR 52.2299 in a **Federal Register** action published July 7, 1999 (64 FR 36586).

On September 1, 1993, the TACB merged with the former Texas Department of Water Resources to become the Office of Air Quality in the new TNRCC. The TACB air regulations were transferred from Title 31 of the Texas Administrative Code (31 TAC) to Title 30 of the Texas Administrative Code (30 TAC). The designation for the General Rules changed from 31 TAC Chapter 101 to 30 TAC Chapter 101. The designation for Regulation I changed from 31 TAC Chapter 111 to 30 TAC Chapter 111. References to TNRCC replaced references to TACB in the regulations.

#### I. What Is EPA Approving in This Action?

Below is a brief discussion of the State submittals being approved in this **Federal Register** action.