

Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this rule has been exempted from review under Executive Order 12866, this rule is not subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of the FFDC, such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. This final rule directly regulates growers, food processors, food handlers and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDC. As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000) do not apply to this rule. In addition, This rule does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National

Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note).

**VII. Congressional Review Act**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 7, 2007.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

■ Therefore, 40 CFR chapter I is amended as follows:

**PART 180—[AMENDED]**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.511 is amended in paragraph (a) in the table as follows:

- i. By removing the entry for "Grape, raisin";
- ii. By alphabetically adding "Apricot" and "Fruit, stone, group 12, except apricot and peach"; and
- iii. By revising the entries for "Canistel," "Grape," "Mango," "Papaya," "Sapodilla," "Sapote, black," "Sapote, mamey," and "Star apple."

The amendments read as follows:

**§ 180.511 Buprofezin; tolerances for residues.**

(a) \* \* \*

Commodity	Parts per million
Apricot .....	9.0
Canistel .....	0.90
Fruit, stone, group 12, except apricot and peach .....	1.9
Grape .....	2.5
Mango .....	0.90

Commodity	Parts per million
Papaya .....	0.90
Sapodilla .....	0.90
Sapote, black .....	0.90
Sapote, mamey .....	0.90
Star apple .....	0.90

\* \* \* \* \*  
 [FR Doc. E7-12161 Filed 6-26-07; 8:45 am]  
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**GENERAL SERVICES ADMINISTRATION**

**41 CFR Part 302-4**

[FTR Amendment 2007-03; FTR Case 2007-301; Docket 2007-0002, Sequence 3]

**RIN 3090-AI34**

**Federal Travel Regulation; Relocation Allowances—Standard Mileage Rate for Moving Purposes**

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA), Office of Governmentwide Policy (OGP), plans to establish the Internal Revenue Service (IRS) Standard Mileage Rate for moving purposes as the rate at which agencies will reimburse an employee for using a privately owned vehicle (POV) for relocation. The FTR and any corresponding documents may be accessed at GSA's website at <http://www.gsa.gov/fttr>.

**DATES:** *Effective Date:* September 25, 2007.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC, 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Ed Davis, Office of Governmentwide Policy (M), Office of Travel, Transportation and Asset Management (MT), General Services Administration at (202) 208-7638 or e-mail at [ed.davis@gsa.gov](mailto:ed.davis@gsa.gov). Please cite FTR Amendment 2007-03; FTR case 2007-301.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Relocation is an area that continuously evolves because of changes in the housing market,

transportation industry, technology, etc. The General Services Administration (GSA), Office of Governmentwide Policy (OGP), routinely reviews the relocation regulations to address current Government relocation needs, to incorporate appropriate private industry policies, and to implement any best practices that fit well into the Federal setting.

To help accomplish these goals, GSA created the Relocation Best Practices Committee (RBPC) in 2002. Many of this Committee's recommendations were reflected in a proposed rule published in the **Federal Register** at 69 FR 68111, November 23, 2004.

The proposed rule included 30 changes; however, this final rule focuses on only one of those proposed changes, namely adopting the mileage rate established by the IRS for computing relocation, or moving, costs for income tax purposes for reimbursing Federal employees for using their POVs for relocation travel to a new duty station for PCS. GSA will address the remaining Federal Travel Regulation (FTR) changes from the proposed rule in one or more future final rule(s).

Section 302–4.300 of the FTR (41 CFR 302–4.300) currently provides tiered reimbursements for POV use in en route travel to the new duty station based on the number of occupants. This final rule will eliminate the tiered rates. Instead, the agency will reimburse the employee who relocates by POV at the established IRS rate for use of a car for moving purposes. GSA will publish this rate in an FTR Bulletin to coincide with updates issued by the IRS. The IRS generally issues such updates annually, but for special cases, such as Hurricane Katrina, the IRS may issue updates during the year and GSA will follow suit.

The IRS allows two methods for computing the standard mileage rates for use of a car in moving: a single mileage rate or actual expense. GSA has decided to allow only reimbursement at the single mileage rate, since this approach is easier to administer and does not involve collecting and auditing small value receipts.

Many transferees compare the reimbursement rate for using a POV for temporary duty travel (TDY) to the rate for using a POV for relocation travel and do not understand why those rates differ. The more generous rate for using a POV for TDY travel is intended to cover the fixed costs of operating an automobile, such as depreciation (or lease payments), insurance, and license and registration fees, as well as the operating cost. None of these fixed costs are tax deductible as a moving expense,

so none of these fixed costs are included in the moving rate mileage calculation. The IRS intends the rate for using a POV in moving to cover only actual operating expenses (e.g., fuel, oil, tolls, etc.). The IRS then uses the operating costs for a combination of standard vehicles to calculate the moving rate.

GSA consulted the members of the Executive Relocation Steering Committee about this change. All members agreed that this adoption of the single IRS rate is appropriate.

## B. Summary of Comments Received and the Issues Involved

GSA received comments from 12 entities on the proposed mileage rate change that was included in the proposed rule published in the **Federal Register** at 69 FR 68111, November 23, 2004. The main thrust of the comments was that payments to employees driving their automobiles should not be lowered. This argument was valid in 2004, at the time the proposed rule was issued. The IRS rate for using an automobile for relocation at that time was 14 cents per mile, which was lower than any rate on the FTR chart. The IRS rate for 2007 will be 20 cents per mile, which means that all drivers regardless of the number of passengers, will be receiving the equivalent of the highest possible rate in the current regulation.

Another objection to the proposed rule was that small agencies or isolated posts might not receive the GSA updates on the mileage rate. This has not been the case for the TDY mileage rate. Agencies adopt the TDY mileage rate quickly and accurately when it changes. GSA expects this to be the same for the relocation mileage rate.

## C. Changes to Current FTR

This final rule:

- Revises section 302–4.300 to reflect the Internal Revenue Service single mileage rate for relocation by POV.
- Adds section 302–4.303 to disallow the use of the IRS actual expense rate for relocation in CONUS.

## D. Executive Order 12866

This regulation is excepted from the definition of “regulation” or “rule” under Section 3(d)(3) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993 and, therefore, was not subject to review under Section 6(b) of that executive order.

## E. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the

Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

## F. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FTR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

## E. Small Business Regulatory Enforcement Fairness Act

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

## List of Subjects in 41 CFR Part 302–4

Government employees, Relocation, Travel and transportation Expenses.

Dated: March 19, 2007.

Lurita Doan,

Administrator of General Services.

- For the reasons set out in this preamble, 41 CFR part 302–4 is amended as set forth below:

## PART 302–4—ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION

- 1. The authority citation for 41 CFR part 302–4 continues to read as follows:

**Authority:** 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1973 Comp., p. 586.

- 2. Revise § 302–4.300 to read as follows:

### § 302–4.300 What is the POV mileage rate for PCS travel within the continental United States (CONUS)?

For approved/authorized PCS travel by POV in CONUS, the mileage reimbursement rate is the same as the moving expense standard mileage rate established by the Internal Revenue Service (IRS) for moving expense deductions. See IRS guidance available on the Internet at [www.irs.gov](http://www.irs.gov). GSA will publish the rate for mileage reimbursement in an FTR Bulletin on an intermittent basis to coincide with the rate changes published by the IRS. You may find the FTR Bulletins at [www.gsa.gov/relo](http://www.gsa.gov/relo).

- 3. Add § 302–4.303 to read as follows:

### § 302–4.303 For relocation within the continental United States (CONUS), may I use the actual expense method of reimbursement instead of the POV mileage rate specified in § 302–4.300?

No, for a PCS relocation within CONUS involving POV usage, your

agency will reimburse you at the standard mileage rate specified in § 302-4.300.  
[FR Doc. E7-12433 Filed 6-26-07; 8:45 am]  
BILLING CODE 6820-14-S

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1 and 76

[FCC 07-115]

#### Interim Electronic Filing Procedures for Certain Commission Filings

**AGENCY:** Federal Communications Commission.

**ACTION:** Temporary rule; rescission.

**SUMMARY:** In this document, the Commission rescinds the procedures it adopted in 2001 on an emergency, interim basis to require the filing or re-filing of certain documents electronically (*i.e.*, by facsimile or e-mail), by overnight delivery, or by hand delivery to the Commission's Capitol Heights, Maryland location. Filings will no longer be accepted by e-mail or facsimile, unless specifically authorized by the Commission's rules.

**DATES:** Effective September 25, 2007.

**ADDRESSES:** Federal Communications Commission, 445 12th St., SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Denise D. Walter, Mobility Division, Wireless Telecommunications Bureau at (202) 418-0620.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Order*; FCC 07-115, adopted June 18, 2007, and released June 20, 2007. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by sending an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or by calling the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

#### Synopsis of the Order

By an *Order* published at 66 FR 62991, December 4, 2001, the Commission amended its procedural rules "on an emergency, interim basis" to permit certain pleadings (specifically,

(i) Petitions to deny filed pursuant to section 309 of the Communications Act of 1934, as amended (Act), 47 U.S.C. 309; (ii) petitions for reconsideration filed pursuant to section 405 of the Act, 47 U.S.C. 405; (iii) applications for review filed pursuant to section 5(c)(4) of the Act, 47 U.S.C. 155(c)(4); (iv) informal requests for Commission action involving pending applications filed pursuant to § 1.41 of the Commission's rules, 47 CFR 1.41; (v) petitions to amend the TV and FM Broadcast Table of Allotments and responsive pleadings; and (vi) comments or oppositions to open video system certification made pursuant to § 76.1502(e)(1) of the Commission's rules, 47 CFR 76.1502(e)(1) to be filed electronically (*i.e.*, by facsimile or e-mail) "[u]ntil further notice." It adopted these procedures in response to "recent emergency events in Washington, DC, resulting in the unforeseeable and understandable disruption of regular mail delivery and of the processing of other deliveries due to the threat of contamination," *i.e.*, the discovery of anthrax contamination on Capitol Hill and at certain U.S. Postal Service mail processing facilities, and the consequent delay in mail processing due to quarantine and cleansing procedures associated with the anthrax contamination. The Commission stated, "[T]hese emergency procedures are adopted on a temporary basis only, and will be discontinued when normal U.S. Mail delivery resumes."

We note that mail delivery in the Washington, DC area has improved, and that the United States Postal Service has greatly reduced the delay in processing mail. We also note that the Commission has expanded its electronic filing capabilities, and implemented its own processes to combat the threat of contamination of incoming mail. Given these circumstances, we conclude that the interim electronic filing procedures adopted by the Commission in 2001 are no longer necessary. Accordingly, we rescind those procedures, effective ninety days after publication of this *Order* in the **Federal Register**. (This includes elimination of interim facsimile number 202-418-0187 and the following Office of the Secretary Bureau and Office e-mail addresses: [MMBSecretary@fcc.gov](mailto:MMBSecretary@fcc.gov); [WTBSecretary@fcc.gov](mailto:WTBSecretary@fcc.gov); [CCBSecretary@fcc.gov](mailto:CCBSecretary@fcc.gov); [CSBSecretary@fcc.gov](mailto:CSBSecretary@fcc.gov); [IBSecretary@fcc.gov](mailto:IBSecretary@fcc.gov); [EBSecretary@fcc.gov](mailto:EBSecretary@fcc.gov); [OtherSecretary@fcc.gov](mailto:OtherSecretary@fcc.gov).) Thereafter, filings will no longer be accepted by

facsimile or e-mail, unless specifically authorized by the Commission's rules.

Pursuant to the authority of section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), the interim electronic filing procedures adopted in *Order* FCC 01-345, at 66 FR 62991, December 4, 2001, *are rescinded*.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 07-2390]

#### Radio Broadcasting Services; Hemet, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; grant of petition for reconsideration.

**SUMMARY:** This document grants a Petition for Reconsideration filed by Southern California Public Radio in response to the staff letter dated March 18, 2004, returning its Petition for Rule Making, which requested the reservation of FM Channel 273A at Hemet, California for noncommercial educational use. This document also denies a Petition for Reconsideration filed by Maranatha Ministries of Hemet directed to the staff letter dated March 18, 2004, returning its Petition for Rule Making, requesting the reservation of vacant FM Channel 273A at Hemet, California for noncommercial educational use.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, adopted June 6, 2007, and released June 8, 2007. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. This document is not subject to the Congressional Review Act. (The Commission will not send a