

# Rules and Regulations

Federal Register

Vol. 64, No. 14

Friday, January 22, 1999

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 1

RIN 0560-AF55

#### Fee Schedule; Aerial Photographic Reproductions

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

**SUMMARY:** The Department of Agriculture issued a proposed rule and is now issuing a final rule regarding the revision of fees charged for some aerial photographic reproductions in order to reflect changes in the costs for some reproductions and to discontinue some reproductions due to low demand. However, these revisions do not affect accessibility under the Freedom of Information Act.

EFFECTIVE DATE: February 1, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Linda McDonald, United States Department of Agriculture, Farm Service Agency, Aerial Photography Field Office, 2222 West 2300 South, Salt Lake City, Utah 84119-2020; telephone (801) 975-3500, Ext. 235.

#### SUPPLEMENTARY INFORMATION:

#### Executive Order 12866

This rule is an administrative action not subject to Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

#### Regulatory Flexibility Act

USDA certifies that this rule would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*).

#### Executive Order 12988

The rule has been reviewed in accordance with Executive order 12988, Civil Justice Reform.

The provisions of this rule are not retroactive and preempt State laws to the extent such laws are inconsistent with the provisions of this rule and does not require administrative proceedings before parties may file in court challenging this rule.

#### Paperwork Reduction Act

The authority of the United States Department of Agriculture (USDA) FSA Aerial Photography Field Office to coordinate aerial photography and remote sensing programs and for aerial photography is Section 387 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1387).

Reproductions of photographs are available at cost to any customer. All receipts from the sale of aerial photography reproductions and services are deposited and sent to the U.S. Treasury.

#### Background

A pricing study of all products and services provided by the Aerial Photography Field Office was conducted. The study determined that due to increased costs of photographic reproduction, it would be necessary to increase fees charged for some reproductions. Fees would be reduced or left unchanged for some reproductions. Some reproductions would be discontinued, due to the small number of reproductions ordered. Accordingly, USDA will revise the fees charged for some reproductions, discontinue others and make minor administrative changes regarding Agency names and other clarifications to amend the appendix to 7 CFR part 1, subpart A. While issued as a proposed rule, the USDA Aerial Photography Field Office received one comment regarding this rule. The comment was to add the cost of Black and White 38x38 Film Positive Reproductions to the fee schedule. This item has been added to the fee schedule in this final rule.

#### List of Subjects in 7 CFR Part 1

Appeals, Fees, Public access and records.

For the reasons set out in the preamble, 7 CFR part 1 subpart A, Appendix A is amended to read as follows:

#### PART 1—ADMINISTRATIVE REGULATIONS

##### Subpart A—Official Records

##### Appendix A to Subpart A—Fee Schedule

1. The authority citation for subpart A is revised to read as follows:

**Authority:** 5 U.S.C. 301, 552; 7 U.S.C. 312a; 31 U.S.C. 9701; 7 U.S.C. 1387; and 7 CFR 2.28 (b)(7)(viii).

2. Section 12 of Appendix A to subpart A is revised and in section 17, paragraph (d) is removed and reserved and (c) is revised to read as follows:

##### Appendix A to Subpart A—Fee Schedule

\* \* \* \* \*

#### § 12. Agencies which furnish photographic reproductions.

(a) Aerial Photographic reproductions. The following agency of the Department furnishes aerial photographic reproductions:

Farm Service Agency (FSA), Aerial Photography Field Office (APFO), USDA, 2222 West 2300 South, Salt Lake City, Utah 84119-2020.

(b) Other photographic reproductions. Other types of reproductions may be obtained from the following agency of the Department:

National Agricultural Library, Agricultural Research Service, USDA, Office of the Deputy Director, Technical Information Systems, Room 200, NAL Building, Beltsville, MD 20705.

\* \* \* \* \*

#### § 17. Reproduction prices

\* \* \* \* \*

(c) *General aerial photographic reproductions.* The prices for various types of aerial photographic reproductions are set forth in this paragraph. Size measurements refer to the approximate size in inches of the paper required to produce the reproduction.

Size	Price
<b>Black and White Reproductions</b>	
10×10 Paper .....	\$5.00
10×10 Film Positive .....	10.00
10×10 Film Positive AT .....	10.00
10×10 Film Positive Scan .....	15.00
10×10 Film Duplicate Negative .....	3.00
10×10 Film Internegative .....	4.50
12×12 Paper .....	12.00
17×17 Paper .....	13.00
17×17 Film Positive .....	25.00
24×24 Paper .....	16.00
24×24 Film Positive .....	40.00
38×38 Paper .....	50.00
38×38 Film Positive .....	55.00
20×24 Paper Photo Index .....	20.00
Paper Line Index .....	15.00
Mylar Line Index .....	35.00
Microfilm (Photo Indexes): Aperture Cards .....	10.00
Microfilm (Photo Indexes): Microfiche .....	10.00
<b>Color Negative Reproductions</b>	
10×10 Paper Quantities:	
1–50 .....	\$7.00
51–1000 .....	5.00
1001 & Over .....	2.50
10×10 Film Positive .....	33.00
20×20 Paper .....	40.00
24×24 Paper .....	55.00
38×38 Paper .....	70.00
<b>Color Infrared Positive Reproductions</b>	
10×10 Paper .....	\$12.00
10×10 Film Positive .....	15.00
10×10 Film Positive AT .....	15.00
10×10 Film Positive Scan .....	20.00
20×20 Paper .....	32.00
24×24 Paper .....	40.00
38×38 Paper .....	70.00

\* \* \* \* \*

Signed at Washington, D.C., on January 15, 1999.

**Dan Glickman**

*Secretary.*

[FR Doc. 99–1451 Filed 1–21–99; 8:45 am]

BILLING CODE 3410–05–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98–AEA–44]

#### Amendment to Class D Airspace and Class E Airspace; Binghamton, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action revises the legal description of the Class D airspace and Class E airspace extensions at Binghamton Regional/Edwin A. Link

Field Airport (BGM), Binghamton, NY. The air traffic control tower at BGM has reduced their operating hours. The need for Class D airspace and the Class E airspace extensions during the specified hours of reduced operation no longer exists. This action will result in the airspace reverting to Class G airspace during those specific hours.

**EFFECTIVE DATE:** 0901 UTC, March 25, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA–520, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553–4521.

#### SUPPLEMENTARY INFORMATION:

#### History

On December 4, 1998, a proposal to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to revise the legal description of the Class D

airspace and associated Class E airspace extensions at Binghamton Regional/Edwin A. Link Field Airport, Binghamton, NY, was published in the **Federal Register** (63 FR 67014).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class D airspace designations for airspace extending upward from the surface are published in paragraph 5000 and Class E airspace areas designated as an extension to a Class D surface area are published in paragraph 6004 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.