

so that it accurately reflects the amendments carried out.

DATES: Effective March 18, 2013.

FOR FURTHER INFORMATION CONTACT: G. Richard Gold, Attorney, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580, (202) 326-3355.

SUPPLEMENTARY INFORMATION: An amendatory instruction in our final rule entitled "Freedom of Information Act" published February 28, 2013 (78 FR 13472) erroneously included a paragraph that was not affected. In the amendments to § 4.9 of the Commission's Rules of Practice, instruction 2 included paragraph (b)(9) in its revisions. That paragraph was not revised by the rule. Therefore, we issue the following correction to the February 28 final rule:

■ 1. In the **Federal Register** of Thursday, February 28, 2013, in FR Doc. 2013-04479, on page 13474, in the first column, amendatory instruction 2 is correctly revised to read as follows: "2. Amend § 4.9 by revising paragraphs (a)(3), (a)(4)(i), (a)(4)(iii), (b)(3)(iii), (b)(10)(xiv) and (xv), and by adding (b)(10)(xvi) to read as follows:"

Richard C. Donohue,

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-2012-0738; FRL-9791-4]

National Oil and Hazardous Substances Pollution Contingency Plan; Revision To Increase Public Availability of the Administrative Record File

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is taking final action on an amendment that was withdrawn in a January 22, 2013, **Federal Register** withdrawal notice. The amendment that is the subject of today's final rule adds language to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) to broaden the technology, to include computer telecommunications or other electronic means, that the lead agency is permitted to use to make the administrative record file available to the public.

DATES: This final rule is effective on April 17, 2013.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-HQ-SFUND-2012-0738. All documents in the docket are listed in the [index](#). Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [the docket](#) or in hard copy at the Superfund Docket (Docket ID No. EPA-HQ-SFUND-2012-0738). This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The Superfund Docket telephone number is (202) 566-0276. EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Melissa Dreyfus at (703) 603-8792 ([melissa.dreyfus@epa.gov](#)), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460-0002, Mail Code 5204P.

SUPPLEMENTARY INFORMATION:

I. Why is EPA publishing this final rule?

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I. Why is EPA publishing this final rule?

On November 7, 2012, EPA published in the **Federal Register** a Direct Final rule entitled

"National Oil and Hazardous Substances Pollution Contingency Plan; Revision To Increase Public Availability of the Administrative Record File" (77 FR 66729) (hereafter the Direct Final rule). This Direct Final rule added language to 40 CFR 300.805(c) of the NCP to broaden the technology, to include computer telecommunications or other electronic means, that the lead agency is permitted to use to make the administrative record file available to the public. At the same time, EPA also published a parallel Proposed rule (77 FR 66783) that requested comment on the same change to the NCP. We stated in that Direct Final rule that if we received adverse comment on the amendment by December 7, 2012, the affected amendment would not take effect and we would publish a timely withdrawal in the **Federal Register** of the amendment. We received one adverse comment and as a result withdrew the amendment on January 22, 2013 (78 FR 4333). EPA is publishing today's Final rule to address the adverse comment received on the

amendment listed above and to finalize this amendment.

II. Background

In the November 7, 2012, Direct Final rule, 40 CFR 300.805(c)—"Location of the Administrative Record File" in Subpart I—"Administrative Record for Selection of Response Action" of the National Oil and Hazardous Substances Pollution Contingency Plan, was revised to acknowledge advancements in technologies used to manage and convey information to the public. Specifically, this revision to the NCP added language to broaden the technology, to include computer telecommunications or other electronic means, that the lead agency is permitted to use to make the administrative record