of the United States. EPA will submit a report containing this action 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 the rule in the Federal Register. A major rule cannot take effect until 60 days after it is published in the Federal Register. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 26, 2012. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today’s Federal Register, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements. See section 307(b)(2).

List of Subjects in 40 CFR Part 52
Environmental protection, Air pollution control, Ozone, Intergovernmental relations, Incorporation by reference, Nitrogen dioxides, Reporting and recordkeeping requirements, and Volatile organic compounds.

Authority: 42 U.S.C. 7401 et seq.

**EPA APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS**

<table>
<thead>
<tr>
<th>Provision</th>
<th>State effective date</th>
<th>EPA approval date</th>
<th>Federal Register citation</th>
</tr>
</thead>
</table>

A. Stanley Meiburg,
Acting Regional Administrator, Region 4.

40 CFR part 52 is amended as follows:

**PART 52—[AMENDED]**

1. The authority citation for part 52 continues to read as follows:
Authority: 42 U.S.C. 7401 et seq.

**Subpart II—North Carolina**

2. Section 52.1770(e) is amended by adding a new entry at the end of the table for the ‘‘MVEB Update for the Redesignation and Maintenance Plan for the Rocky Mount, NC Area for the 1997 8-hour Ozone Standard’’ to read as follows:

§ 52.1770 Identification of plan.

| (e) | * | * | * |

**SUPPLEMENTARY INFORMATION:**

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous Waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water Supply.


Judith A. Enck,
Regional Administrator, Region 2.

Accordingly, the amendment to Table 1 of Appendix B to CFR Part 300 to remove the entry ‘‘Hooker (Hyde Park)’’,
“Niagara Falls”, “NY” is withdrawn as of September 27, 2012.

DEPARTMENT OF DEFENSE

DEFENSE ACQUISITION REGULATIONS SYSTEM

48 CFR 227

ACQUISITION OF COMMERCIAL ITEMS

CFR Correction

In Title 48 of the Code of Federal Regulations, Chapter 2 (Parts 201—299), revised as of October 1, 2011, on page 38, in section 205.470, the first sentence is corrected by removing

DEPARTMENT OF DEFENSE

DEFENSE ACQUISITION REGULATIONS SYSTEM

48 CFR Part 227

PATENTS, DATA, AND COPYRIGHTS; CFR CORRECTION

CFR Correction

In Title 48 of the Code of Federal Regulations, Chapter 2 (Parts 201—299), revised as of October 1, 2011, on page 206, in section 227.7102–1, paragraph (c) is added to read as follows:

227.7102–1 Policy.
* * * * *

(c) The Government’s rights in a vessel design, and in any useful article embodying a vessel design, must be consistent with the Government’s rights in technical data pertaining to the design (10 U.S.C. 7317; 17 U.S.C. 1301(a)[3]).

BILLING CODE 1505–01–D

DEPARTMENT OF DEFENSE

DEFENSE ACQUISITION REGULATIONS SYSTEM

48 CFR Part 209

CONTRACTOR QUALIFICATIONS

CFR Correction

In Title 48 of the Code of Federal Regulations, Chapter 2 (Parts 201—299), revised as of October 1, 2011, on page 55, in section 209.104–70, paragraph (a) is amended by revising the second sentence to read as follows:

209.104–70 Solicitation provisions.
(a) * * * Any disclosure that the government of a terrorist country has a significant interest in an offeror or a subsidiary of an offeror shall be forwarded through agency channels to the address at 209.104–1(g)(i)(C).

BILLING CODE 1505–01–D

DEPARTMENT OF DEFENSE

DEFENSE ACQUISITION REGULATIONS SYSTEM

48 CFR Part 207

PUBLICIZING CONTRACT ACTIONS

CFR Correction

In Title 48 of the Code of Federal Regulations, Chapter 2 (Parts 201—299), revised as of October 1, 2011, on page 16, in section 207.60, the first paragraph (xvii) as (iii) through (v) is corrected by redesignating (iv) through (v) as (vi) through (ix).

BILLING CODE 1505–01–D

DEPARTMENT OF DEFENSE

DEFENSE ACQUISITION REGULATIONS SYSTEM

48 CFR Part 227

PATENTS, DATA, AND COPYRIGHTS; CFR CORRECTION

CFR Correction

In Title 48 of the Code of Federal Regulations, Chapter 2 (Parts 201—299), revised as of October 1, 2011, on page 206, in section 227.7102–1, paragraph (c) is added to read as follows:

227.7102–1 Policy.
* * * * *

(c) The Government’s rights in a vessel design, and in any useful article embodying a vessel design, must be consistent with the Government’s rights in technical data pertaining to the design (10 U.S.C. 7317; 17 U.S.C. 1301(a)[3]).

BILLING CODE 1505–01–D

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1812, 1828, and 1852

RIN 2700–AD55

CROSS WAIVERS OF LIABILITY CLAUSES

AGENCY: National Aeronautics and Space Administration.

ACTION: Final rule.

SUMMARY: NASA has adopted, with minor changes, a final rule amending the NASA FAR Supplement (NFS) to consolidate and make changes to three existing cross-waiver of liability contract clauses, and to more closely align the clauses with current mission programs.

DATES: Effective Date: October 29, 2012.

FOR FURTHER INFORMATION CONTACT: Leigh Pomponio, NASA, Office of Procurement, Contract Management Division (Suite 2P77); (202) 358–0592; email:leigh.pomponio@nasa.gov.

SUPPLEMENTARY INFORMATION:

1. Background

A proposed rule was published on May 5, 2011 (76 FR 25657) to consolidate NASA’s three existing cross-waiver of liability clauses into two clauses and to align the two clauses with Agency mission requirements, consistent with the cross-waiver of liability regulatory authority at 14 CFR part 1266. The regulatory authority at 14 CFR part 1266 was promulgated on February 26, 2008 (73 FR 10143–50). The February 2008 rule established NASA’s cross-waiver of liability authority in two categories of NASA agreements: (1) Agreements for ISS activities pursuant to the “Agreement Among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of...