believe the petitioners have exhausted their lines of argument in their rehearing requests and nothing would be gained by delaying the effect of our action in order to proceed with a different administrative vehicle to arrive at the same result.

The Commission Orders

The requests for rehearing and reconsideration are denied as discussed in the body of this order.

By the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 95–321 Filed 1–5–95; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 5

Delegations of Authority and Organization; Center for Devices and Radiological Health

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the regulations for delegations of authority in order to redelegate authorities relating to determining the classification of devices first marketed after May 28, 1976, to additional officials in the Center for Devices and Radiological Health (CDRH).

EFFECTIVE DATE: January 6, 1995.

FOR FURTHER INFORMATION CONTACT:

Joseph M. Sheehan, Center for Devices and Radiological Health (HFZ–84), Food and Drug Administration, 2098 Gaither Rd., Rockville, MD 20850, 301–594–4765, or

Ellen R. Rawlings, Division of Management Systems and Policy (HFA–340), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4976.

SUPPLEMENTARY INFORMATION: FDA is amending § 5.51 *Determination of classification of devices* (21 CFR 5.51) by extending the authority in § 5.51(b)(1) to determine the classification of a medical device first intended for commercial distribution after May 28, 1976, pursuant to section 513(f)(1)(A) of the Federal Food, Drug, and Cosmetic Act, to Deputy Division Directors, Associate Division Directors, and Branch Chiefs, Office of Device Evaluation, CDRH. The expanded delegation will ensure greater efficiency in making these classification decisions.

Further redelegation of the authority delegated is not authorized at this time. Authority delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis.

List of Subjects in 21 CFR Part 5

Authority delegations (Government agencies), Imports, Organization and functions (Government agencies).

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. The authority citation for 21 CFR part 5 continues to read as follows:

Authority: 5 U.S.C. 504, 552, App. 2; 7 U.S.C. 138a, 2271; 15 U.S.C. 638, 1261–1282, 3701–3711a; secs. 2–12 of the Fair Packaging and Labeling Act (15 U.S.C. 1451–1461); 21 U.S.C. 41–50, 61–63, 141–149, 467f, 679(b), 801–886, 1031–1309; secs. 201–903 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321–394); 35 U.S.C. 156; secs. 301, 302, 303, 307, 310, 311, 351, 352, 354, 361, 362, 1701–1706, 2101, 2125, 2127, 2128 of the Public Health Service Act (42 U.S.C. 241, 242, 242a, 242l, 242n, 243, 262, 263, 263b, 264, 265, 300u–300u–5, 300aa–1, 300aa–25, 300aa–27, 300aa–28); 42 U.S.C. 1395y, 3246b, 4332, 4831(a), 10007–10008; E.O. 11490, 11921, and 12591; secs. 312, 313, 314 of the National Childhood Vaccine Injury Act of 1986, Pub. L. 99–660 (42 U.S.C. 300aa–1 note).

2. Section 5.51 is amended by revising paragraph (b)(1) to read as follows:

§ 5.51 Determination of classification of devices.

* * * * *

(b) * * *

(1) The Director and Deputy Director, CDRH, and the Director, Deputy Director, Associate Director, Chief of the Premarket Notification Section, Division and Deputy Division Directors, Associate Division Directors, and Branch Chiefs, Office of Device Evaluation, CDRH.

* * * * *

Dated: December 29, 1994.

William K. Hubbard,

Interim Deputy Commissioner for Policy.

[FR Doc. 95–359 Filed 1–5–95; 8:45 am]

BILLING CODE 4160–01–P–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[LA–13–1–6389; FRL–5125–8]

Approval and Promulgation of Implementation Plan: Louisiana Emission Statement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action approves a revision to the Louisiana State Implementation Plan (SIP) to include revisions to the Louisiana Department of Environmental Quality (LDEQ) Regulation Title 33, Part III, Chapter 9, *General Regulations on Control of Emissions and Emission Standards*, Section 919, *Emission Inventory*. These revisions are for the purpose of implementing an emission statement program for stationary sources within the ozone nonattainment areas. The implementation plan was submitted by the State to satisfy the Federal requirements for an emission statement program as part of the SIP for Louisiana.

EFFECTIVE DATE: This final rule is effective on February 6, 1995.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

U.S. Environmental Protection Agency, Region 6, Air Programs Branch (6T-AP), 1445 Ross Avenue, suite 700, Dallas, Texas 75202–2733

U.S. Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW., Washington, DC 20460

Louisiana Department of Environmental Quality, Air Quality Division, 7290 Bluebonnet, Baton Rouge, Louisiana 70810.

FOR FURTHER INFORMATION CONTACT: Mr. Herbert R. Sherrow, Jr., Planning Section (6T-AP), Air Programs Branch, USEPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, Telephone (214) 655–7237.

SUPPLEMENTARY INFORMATION:

Background

The air quality planning and SIP requirements for ozone nonattainment and transport areas are set out in subparts I and II of part D of title I of the Clean Air Act (CAA or ''the Act''),