

this time period of Class D operations, there has been no derogation of safety. The purpose of this docket is to initiate action to reference correctly Class D airspace in aeronautical directories and charts.

2. Responding to the issue of the airport being closed for snow removal, changing aeronautical maps and charts to reflect existing airspace will not impact the length of time that the airport would be closed for snow removal. The City of Akron, OH is responsible to remedy airport conditions caused by inclement weather. Comments regarding actions taken for snow removal at the airport can be directed to the City of Akron airport authorities. This comment addresses issues beyond the scope of the action proposed in this notice.

3. Implementation of the proposal on Class D airspace will not affect staffing at the Akron-Canton ATCT. Accordingly, the comment regarding staffing is beyond the scope of this notice.

A minor modification has been made to the legal description from that shown in the notice to exclude the airspace within the Akron-Canton Regional Airport Class C airspace area. This modification is required in accordance with new guidelines.

The coordinates for this airspace docket are based on North American Datum 83. Class D airspace designations are published in Paragraph 5000 of FAA Order 7400.9B dated July 18, 1994, and effective September 16, 1994, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations establishes Class D airspace at Akron-Canton Regional Airport, Akron, Ohio during certain periods of time when the Akron-Canton ATCT radar approach control facility is not in operation. Currently, the airspace at Akron-Canton Regional Airport is designated as Class C airspace only. The intended effect of this proposal is to provide reference to Class D airspace to maintain the two-way radio communications requirements when the radar approach control facility is not in operation at the airport. This action does not change the existing method of handling traffic but will allow for action to be taken to correctly reference the airspace in aeronautical directories and charts.

The FAA has determined that this regulation only involves an established body of technical regulations for which

frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—[AMENDED]**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9B, Airspace Designations and Reporting Points, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

<i>Paragraph 5000</i>	<i>General</i>
* * *	* * *

**AGL OH D Akron-Canton, OH [New]**

(Lat. 40°54'59" N., Long. 81°26'32" W.)

That airspace extending upward from the surface to and including 3700 feet MSL within a 4.3-mile radius of the Akron-Canton Regional Airport, excluding that airspace within the Akron-Canton Regional Airport, OH Class C airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be published in the Airport/Facility Directory.

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Issued in Des Plaines, Illinois on February 9, 1995.

**Roger Wall,**  
*Manager, Air Traffic Division.*

[FR Doc. 95–4439 Filed 2–22–95; 8:45 am]

BILLING CODE 4910–13–M

**14 CFR Part 71**

[Airspace Docket No. 94–ASO–23]

**Amendment to Class E Airspace; Millington, TN**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment modifies the Class E airspace area at Millington, TN, to accommodate a VOR/DME RWY 22 Standard Instrument Approach Procedure (SIAP) at the Memphis NAS/Millington Municipal Airport. This amendment also makes a technical correction to the name of the airport, which is now joint use, and a minor correction to the geographic position coordinates of the airport.

**EFFECTIVE DATE:** 0901 UTC, March 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Powderly, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5570.

**SUPPLEMENTARY INFORMATION:**

**History**

On December 2, 1994, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by modifying the Class E airspace area at Millington, TN (59 FR 64878). The proposed action would provide additional controlled airspace to accommodate a VOR/DME RWY 22 SIAP at the Memphis NAS/Millington Municipal Airport. A technical correction is also being made to the name of the airport and a minor correction is being made to the geographic position coordinates of the airport.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Designations for Class E airspace extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9B dated July 18, 1994, and effective September 16, 1994. The Class E airspace designation listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies the Class E airspace area at Millington, TN, to accommodate

a VOR/DME RWY 22 SIAP at the Memphis NAS/Millington Municipal Airport. This amendment also makes a technical correction to the name of the airport, which is now joint use, and a minor correction to the geographic position coordinates of the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria for the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—[AMENDED]**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9B, Airspace Designations and Reporting Points, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet Above the Surface of the Earth.*

\* \* \* \* \*

**ASO TN E5 Memphis NAS/Millington Municipal, TN [Revised]**

Memphis NAS/Millington Municipal Airport, TN  
(Lat. 35°21'20" N, Long. 89°52'10" W)  
Arlington Municipal Airport  
(Lat. 35°16'59" N, Long. 89°40'22" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Memphis NAS/Millington Municipal

Airport and within a 7-mile radius of Arlington Municipal Airport.

\* \* \* \* \*

Issued in College Park, Georgia, on February 10, 1995.

**Walter R. Denley,**

*Acting Manager, Air Traffic Division, Southern Region.*

[FR Doc. 95-4434 Filed 2-22-95; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**18 CFR Part 2**

[Docket No. RM93-23-001; Docket No. RM93-25-001]

**Project Decommissioning at Relicensing; Use of Reserved Authority in Hydropower Licenses To Ameliorate Cumulative Impacts; Order Dismissing Requests for Rehearing and Denying Requests for Reconsideration**

Issued February 9, 1995.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Policy statements; order dismissing requests for rehearing and denying requests for reconsideration.

**SUMMARY:** The Federal Energy Regulatory Commission is issuing an order that dismisses requests for rehearing, and denies requests for reconsideration, of the two policy statements that were issued on December 14, 1994. The Commission, in Docket No. RM93-25-000, adopted a policy statement with respect to the use of reserved authority in licenses for hydropower projects to ameliorate cumulative impacts of such projects in the same river basin. In Docket No. RM93-23-000, the Commission adopted a policy statement that addressed issues related to relicensing and decommissioning of hydropower projects. The Commission found that, because there is no aggrievement, rehearing does not lie and that no particular circumstances requiring reconsideration of the policy statements have been shown.

**EFFECTIVE DATE:** February 9, 1995.

**FOR FURTHER INFORMATION CONTACT:** Barry Smoler, Office of the General Counsel, Federal Energy Regulatory Commission, 825 N. Capitol Street NE., Washington, D.C. 20426, (202) 208-1269.

**SUPPLEMENTARY INFORMATION:** In addition to publishing the full text of

this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this documents during normal business hours in Room 3104, 941 North Capitol Street NE., Washington, D.C. 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, 1200 or 300bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS for 60 days from the date of issuance in ASCII and WordPerfect 5.1 format. After 60 days the document will be archived, but still accessible. The complete text on diskette in Wordperfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, located in Room 3104, 941 North Capitol Street NE., Washington, D.C. 20426.

**Order Dismissing Requests for Rehearing and Denying Requests for Reconsideration**

Issued February 9, 1995.

Before Commissioners: Elizabeth Anne Moler, Chair; Vicky A. Bailey, James J. Hoecker, William L. Massey, and Donald F. Santa, Jr.

On December 14, 1994, the Commission issued policy statements in each of the two above-captioned dockets.<sup>1</sup>

On January 13, 1995, the American Public Power Association (APPA) filed a request for reconsideration or rehearing of both policy statements. APPA expressed the view that rehearing does not lie, because the policy statements do not give rise to "aggrievement" within the meaning of Section 313 of the Federal Power Act,<sup>2</sup> but requested rehearing in the event that the Commission determined that it was appropriate.

On January 13, 1995, the National Hydropower Association filed a "statement in opposition" to the policy statement on decommissioning issued in Docket No. RM93-23-000, but did

<sup>1</sup> The policy statement issued in Docket No. RM93-23-000 (69 FERC ¶ 61,336) was published in the **Federal Register** on January 4, 1995 (60 FR 339). The policy statement issued in Docket No. RM93-25-000 (69 FERC ¶ 61,337) was published in the **Federal Register** on December 28, 1994 (59 FR 66714).

<sup>2</sup> 16 U.S.C. 8251 (1992).