

intended to provide adequate Class E airspace to contain instrument flight rule (IFR) operation for aircraft executing the SIAP to RWY 16-34 at Fayette Regional Air Center, La Grange, TX.

EFFECTIVE DATE: 0901 UTC, September 14, 1995.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, System Management Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone 817-222-5593.

SUPPLEMENTARY INFORMATION:

History

On December 5, 1994, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish the Class E airspace at La Grange, TX, was published in the **Federal Register** (59 FR 62363). A new SIAP developed for RWY 16-34 at Fayette Regional Air Center, La Grange, TX, necessitates the establishment of the Class E airspace at this airport. The proposal was to revise the controlled airspace extending upward from 700 feet AGL for IFR operations in controlled airspace during portions of the terminal operation and while transitioning between the enroute and terminal environments.

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. Therefore, the rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designations for airspace areas extending upward from 700 feet or more AGL are published in Paragraph 6005 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 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) establishes the Class E airspace located at Fayette Regional Air Center, La Grange, TX, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing the SIAP.

The FAA has determined that this regulation only involves an established body of technical regulations that need frequent and routine amendments 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. 40103, 40113, 40120, 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:

Paragraph 6005 Class E Airspace Areas extending upward from 700 feet or more above the surface of the earth.

* * * * *
ASW TX E5 La Grange, TX [New]
Fayette Regional Air Center, TX
(lat. 29°54'31"N, long. 95°56'59"W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Fayette Regional Air Center.

* * * * *

Issued in Fort Worth, TX, on June 20, 1995.

Helen Fabian Parke,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 95-16747 Filed 7-6-95; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF JUSTICE

28 CFR Part 0

[AG Order No. 1975-95]

Personnel and Administrative Authorizations

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This rule delegates to the Administrator of the Drug Enforcement Administration the authority to administer the Federal Bureau of Investigation-Drug Enforcement Administration Senior Executive Service (FBI-DEA SES) with respect to personnel within the Drug Enforcement Administration. This action is being undertaken to promote administrative efficiency.

EFFECTIVE DATE: July 7, 1995.

FOR FURTHER INFORMATION CONTACT: Valerie M. Willis, Executive Resources Coordinator, Department of Justice, National Place Building, Suite 1155, 1331 Pennsylvania Avenue NW., Washington, D.C. 20530; (202) 514-6794.

SUPPLEMENTARY INFORMATION: In 1992, pursuant to 5 U.S.C. 3151, the Attorney General established a personnel system for senior personnel within the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA), to be known as the FBI-DEA Senior Executive Service (FBI-DEA SES). With respect to SES personnel within the FBI, the Director of the FBI was authorized to exercise the administrative authority statutorily conferred upon the Attorney General, 5 CFR 0.157(c); with respect to personnel within the DEA, that administrative authority was delegated to the Deputy Attorney General, 5 CFR 0.157(d). The Attorney General is revising 5 CFR 0.157 and related sections of 28 CFR part 0, subpart X to delegate to the Administrator of the DEA the authority to administer the FBI-DEA SES with respect to personnel within the DEA.

The Attorney General, in accordance with 5 U.S.C. 605(b), certifies that this rule will not have a significant impact on a substantial number of small business entities. This rule is not considered to be a “significant regulatory action” within the meaning of section 3(f) of E.O. 12866, nor does this rule have Federalism implications warranting the preparation of a Federalism Assessment in accordance with E.O. 12612. This rule is a rule of agency organization, and therefore is exempt from the notice requirement of 5 U.S.C. 553(b), and is made effective upon issuance. This rule is not considered to have a significant impact on family formation, maintenance, and general well-being, in accordance with E.O. 12606.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies); Government employees; Organization and functions (Government agencies); Whistleblowing.

Accordingly, part 0, subpart X of title 28 of the Code of Federal Regulations is amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

1. The authority citation for part 0 is revised to read as follows:

Authority: 5 U.S.C. 301, 3151; 28 U.S.C. 509, 510, 515–519.

2. Section 0.137 of subpart X is revised to read as follows:

§ 0.137 Federal Bureau of Investigation and Drug Enforcement Administration.

Except as to persons in Senior Executive Service positions reporting directly to the Director of the Federal Bureau of Investigation or the Administrator or Deputy Administrator of the Drug Enforcement Administration, the Director of the Federal Bureau of Investigation and the Administrator of the Drug Enforcement Administration are authorized, as to their respective jurisdictions, to exercise the power and authority vested in the Attorney General by law to take final action in matters pertaining to the employment, direction and general administration (including appointment, assignment, training, promotion, demotion, compensation, leave, awards, classification and separation) of personnel, including personnel in wage board positions. All personnel actions under this section shall be subject to post-audit and correction by the Assistant Attorney General for Administration.

3. Section 0.138 of Subpart X is revised to read as follows:

§ 0.138 Bureau of Prisons, Federal Prison Industries, Immigration and Naturalization Service, United States Marshals Service, Executive Office for U.S. Attorneys.

The Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, the Commissioner of Immigration and Naturalization, the Director of the U.S. Marshals Service, and the Director of the Executive Office for U.S. Attorneys are, as to their respective jurisdictions, authorized to exercise the power and authority vested in the Attorney General by law to take final action in matters pertaining to the employment, direction, and general administration (including appointment, assignment, training, promotion, demotion, compensation, leave, awards, classification, and separation) of personnel in General Schedule grades GS–1 through GS–15 and in wage board positions, but excluding therefrom all attorney and U.S. Marshal positions. Such officials are, as to their respective

jurisdictions, authorized to exercise the power and authority vested in the Attorney General by law to employ on a temporary basis experts or consultants or organizations thereof, including stenographic reporting services (5 U.S.C. 3109(b)). All personnel actions taken under this section shall be subject to post-audit and correction by the Assistant Attorney General for Administration.

4. Section 0.157 of subpart X is amended, by revising the heading and paragraphs (c) and (d) and by adding paragraph (e), to read as follows:

§ 0.157 Federal Bureau of Investigation—Drug Enforcement Administration Senior Executive Service.

* * * * *

(c) With respect to personnel within the FBI and the DEA who report directly to the Director of the FBI or to the Administrator or Deputy Administrator of the DEA, the Deputy Attorney General is authorized to exercise the authority conferred upon the Attorney General by 5 U.S.C. 3151 and shall ensure that the FBI–DEA SES is designed and administered in compliance with all statutory and regulatory requirements.

(d) With respect to personnel within the FBI and the DEA not covered by paragraph (c) of this section, and consistent with paragraph (b) of this section and § 0.137, the Director of the FBI and the Administrator of the DEA are authorized to exercise for their respective jurisdictions the authority conferred upon the Attorney General by 5 U.S.C. 3151 and shall ensure that the FBI–DEA SES is designed and administered in compliance with all statutory and regulatory requirements.

(e) The Attorney General retains the authority to recommend members of the FBI–DEA SES for Presidential rank awards.

Dated: June 30, 1995.

Janet Reno,

Attorney General.

[FR Doc. 95–16704 Filed 7–6–95; 8:45 am]

BILLING CODE 4410–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[ND–001; FRL–5254–8]

Clean Air Act Final Interim Approval of Operating Permits Program; State of North Dakota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final interim approval.

SUMMARY: The EPA is promulgating final interim approval of the Operating Permits Program submitted by the State of North Dakota for the purpose of complying with Federal requirements for an approvable State Program to issue operating permits to all major stationary sources, and to certain other sources.

EFFECTIVE DATE: August 7, 1995.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the final interim approval are available for inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 8, 999 18th Street, suite 500, Denver, Colorado 80202.

FOR FURTHER INFORMATION CONTACT: Laura Farris, 8ART–AP, U.S. Environmental Protection Agency, Region 8, 999 18th Street, suite 500, Denver, Colorado 80202, (303) 294–7539.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

Introduction

Title V of the 1990 Clean Air Act Amendments (sections 501–507 of the Clean Air Act (“the Act”)), and implementing regulations at 40 Code of Federal Regulations (CFR) part 70 (part 70) require that States develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within one year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to two years. If EPA has not fully approved a program by two years after the November 15, 1993 date, or by the end of an interim program, it must establish and implement a Federal program.

On April 28, 1995 EPA published a **Federal Register** notice proposing interim approval of the Operating Permits Program for the State of North Dakota. See 60 FR 20941. EPA received adverse comments on the proposed interim approval, which are addressed below, and is taking final action to promulgate interim approval of the North Dakota PROGRAM.