

U.S.C. 1621 *et seq.*) to assist in the orderly marketing of various animal products and byproducts not subject to the Federal Meat Inspection Act or the Poultry Products Inspection Act.

Each year the fees charged by FSIS for voluntary inspection services are reviewed and a cost analysis¹ is performed to determine whether they are adequate to recover the costs FSIS incurs in providing the services. Based on the projected Fiscal Year 1995 cost analysis, FSIS is increasing the fees for voluntary services.

The new rates are for base time, \$31.92 per hour, per program employee; for overtime and holiday services, \$32.96 per hour per program employee; and for laboratory services, \$52.92 per hour, per program employee. These increased costs are attributable to the average FSIS national and locality pay raise of 3.2 percent for Federal employees effective January 1995; the increasing number of employees covered by the Federal Employees Retirement System and subject to the Federal Insurance Contributions Act tax; and increased health insurance costs.

On April 12, 1995, FSIS published a proposed rule in the **Federal Register** (60 FR 18551) to increase the fees charged by FSIS to provide overtime and holiday inspection, voluntary inspection, identification, certification, or laboratory services to meat and poultry establishments.

FSIS received one comment in response to the proposal. The comment was from a trade association which represents approximately 1,300 small to medium sized processing operations and strongly opposed any increase in the fees charged for overtime and holiday inspection, voluntary inspection, identification, certification and laboratory services to meat and poultry establishments.

FSIS considered the comment and reanalyzed the available data relating to costs of providing these services. FSIS maintains that the increased rates are necessary and reflect the cost of providing inspection services. The new rates reflect only an incremental increase in the costs currently borne by those entities electing to utilize overtime and holiday inspection services and certain other voluntary inspection services.

To recover these increased costs in an expeditious manner, the Administrator has determined that these amendments

should be effective less than 30 days after publication in the **Federal Register**.

Executive Order 12866

This final rule has been determined to be not significant for purposes of Executive Order 12866.

Executive Order 12778

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is intended to have preemptive effect with respect to any State or local laws, regulations or policies which conflict with its provisions or which would otherwise impede its full implementation. This rule is not intended to have retroactive effect. Prior to any judicial challenge to the provisions, all applicable administrative procedures must be exhausted. Under the Federal Meat and Poultry Products Inspection Acts, the administrative procedures are set forth in 7 CFR Part 1.

Effect on Small Entities

The Administrator, Food Safety and Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601). The fees reflect a minimal increase in the costs currently borne by those entities which elect to utilize certain inspection services.

List of Subjects in 9 CFR Part 391

Fees and charges, Meat inspection, Poultry products inspection.

Accordingly, Part 391 of the Federal meat and poultry products inspection regulations is amended as follows:

PART 391—FEES AND CHARGES FOR INSPECTION SERVICES

1. The authority citation for Part 391 continues to read as follows:

Authority: 7 U.S.C. 138f; 7 U.S.C. 394, 1622, and 1624; 21 U.S.C. 451 *et seq.*; 21 U.S.C. 601–695; 7 CFR 2.17(g) and (i), 2.55.

2. Sections 391.2, 391.3, and 391.4 are revised to read as follows:

§ 391.2 Base time rate.

The base time rate for inspection services provided pursuant to §§ 350.7, 351.8, 351.9, 352.5, 354.101, 355.12, and 362.5 shall be \$31.92 per hour, per program employee.

§ 391.3 Overtime and holiday rate.

The overtime and holiday rate for inspection services provided pursuant to §§ 307.5, 350.7, 351.8, 351.9, 352.5, 354.101, 355.12, 362.5, and 381.38 shall

be \$32.96 per hour, per program employee.

§ 391.4 Laboratory services rate.

The rate for laboratory services provided pursuant to §§ 350.7, 351.9, 352.5, 354.101, 355.12, and 362.5 shall be \$52.92 per hour, per program employee.

Done at Washington, DC, on: July 14, 1995.

Michael R. Taylor,

Administrator, Food Safety and Inspection Service.

[FR Doc. 95–17862 Filed 7–19–95; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 93–AWP–8]

Modification of Restricted Areas R–2303A and R–2303B, and Establishment of R–2303C, Fort Huachuca, AZ

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Restricted Areas R–2303A and R–2303B, and establishes R–2303C at Fort Huachuca, AZ. R–2303A is amended to exclude the Fort Huachuca/Libby AAF/Sierra Vista Municipal Airport from the restricted area and provide airspace for visual flight rules (VFR) access to the airport when R–2303A is in use. This action lowers the floor and ceiling and revises the lateral dimensions of R–2303B in order to accommodate unmanned aerial vehicle training profiles. R–2303B is further subdivided by redesignating the southeast corner of the existing area as a separate restricted area, R–2303C. Additionally this action reduces the published hours of operation for R–2303A and R–2303B. The purpose of these changes is to accommodate increased training requirements and to return unneeded special use airspace to the National Airspace System (NAS).

EFFECTIVE DATE: 0901 UTC, September 14, 1995.

FOR FURTHER INFORMATION CONTACT: Jim Robinson, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 493–4050.

¹ The cost analysis is on file with the FSIS Docket Clerk. Copies may be requested free of charge from the FSIS Docket Clerk, Room 4352, South Agriculture Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250–3700.

SUPPLEMENTARY INFORMATION:

History

On July 21, 1994, the FAA proposed to amend part 73 of the Federal Aviation Regulations (14 CFR part 73) to modify R-2303A and R-2303B and establish R-2303C, Fort Huachuca, AZ (59 FR 37188). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. The comments are discussed below:

On June 15, 1995, the FAA published a supplemental notice of proposed rulemaking (SNPRM) (60 FR 31425) as a result of comments received expressing concern about the dimensions and navigability of the airport exclusionary zone and VFR corridor. The FAA received no comments in response to the SNPRM.

Supportive comments were received from the Southern Arizona Hang Gliding Association, with a recommendation to chart three areas of intensive hang gliding activities located in the vicinity of R-2303B. The FAA agrees with this recommendation and will initiate action to chart the hang gliding areas on the Phoenix Sectional Aeronautical Chart.

Concerns were raised relating to the dimensions and navigability of the VFR corridor and airport exclusionary zone. As a result of comments received in response to the NPRM, the FAA is increasing the ceiling of the airport exclusion and VFR access corridor at the Libby AAF/Sierra Vista Municipal Airport. R-2303A will be amended to exclude from the restricted area the airspace from the surface to 7,000 feet MSL, within a 3-nautical-mile radius of the Fort Huachuca/Libby AAF/Sierra Vista Municipal Airport. The airspace from the surface to 7,000 feet MSL within 1-nautical-mile either side of U.S. Highway 90 will also be excluded. This will provide VFR access to the airport when R-2303A is in use. Except for editorial changes, this amendment is the same as that proposed in the notices. Section 73.23 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8B dated March 9, 1994.

The Rule

This amendment to Part 73 of the Federal Aviation Regulations amends R-2303A to exclude from the restricted area the airspace from the surface to 7,000 feet MSL, within a 3-nautical-mile radius of the Fort Huachuca/Libby AAF/Sierra Vista Municipal Airport. The airspace from the surface to 7,000 feet MSL within 1-nautical-mile either side of U.S. Highway 90 is also excluded.

This will provide VFR access to the airport when R-2303A is in use. R-2303B is amended by relocating the northern boundary 3 miles south of the existing position. This will better accommodate hang gliding activity that takes place just outside of the northwest corner of R-2303B. R-2303B is further amended by subdividing the southeastern section as a separate restricted area, R-2303C. The purpose of this subdivision is to accommodate hang gliding activities occurring just outside of the southeast corner of R-2303A. To achieve this, R-2303C retains a 15,000 feet MSL floor and the time of designation for that section is reduced from the current baseline of 9 hours per day, 6 days per week, to "intermittent by NOTAM at least 24 hours in advance." In addition, this action lowers the floor of R-2303B from 15,000 feet MSL to 8,000 feet MSL excluding the airspace within R-2303A when activated, in order to accommodate unmanned aerial vehicle training profiles. The ceiling of R-2303B is lowered from Flight Level 450 (FL) to FL 300. The U.S. Army has determined that there is no longer a requirement for restricted airspace above FL 300, therefore, that airspace is being returned to the NAS system. Lastly, the times of designation for R-2303A and R-2303B are reduced from "Monday-Saturday, 0700-1600 local time; other times by NOTAM at least 24 hours in advance," to "Monday-Friday, 0700-1600 local time; other times by NOTAM at least 24 hours in advance."

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.

Environmental Review

The Department of the Army has completed an Environmental Assessment (EA) of this action resulting in a Finding of No Significant Impact (FONSI). The FAA has reviewed the EA, and adopts the EA/FONSI, as

supplemented by the U. S. Army. The FAA concludes that this action will have no significant impact on the environment.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 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.

§ 73.23 [Amended]

2. Section 73.23 is amended as follows:

R-2303A Fort Huachuca, AZ [Revised]

Boundaries. Beginning at lat. 31°40'40"N., long. 110°11'02"W.; to lat. 31°34'00"N., long. 110°08'32"W.; to lat. 31°34'00"N., long. 110°22'02"W.; to lat. 31°33'00"N., long. 110°23'02"W.; to lat. 31°29'00"N., long. 110°23'02"W.; to lat. 31°29'00"N., long. 110°41'32"W.; to lat. 31°34'00"N., long. 110°43'32"W.; to lat. 31°38'30"N., long. 110°42'02"W.; to lat. 31°38'30"N., long. 110°39'32"W.; to lat. 31°41'00"N., long. 110°33'32"W.; to lat. 31°41'00"N., long. 110°12'02"W.; to the point of beginning.

Altitudes. Surface to 15,000 feet MSL, excluding the airspace from the surface to 7,000 feet MSL within a 3-nautical-mile radius of the Fort Huachuca/Libby AAF/Sierra Vista Municipal Airport, AZ, and excluding the airspace from the surface to 7,000 feet MSL within 1-nautical-mile either side of U.S. Highway 90.

Time of designation. Monday-Friday, 0700-1600 local time; other times by NOTAM at least 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. U.S. Army Intelligence Center, Fort Huachuca, AZ.

R-2303B Fort Huachuca, AZ [Revised]

Boundaries. Beginning at lat. 31°45'00"N., long. 110°20'02"W.; to lat. 31°41'00"N., long. 110°12'02"W.; to lat. 31°40'40"N., long. 110°11'02"W.; to lat. 31°34'00"N., long. 110°08'32"W.; to lat. 31°34'00"N., long. 110°22'02"W.; to lat. 31°33'00"N., long. 110°23'02"W.; to lat. 31°29'00"N., long. 110°23'02"W.; to lat. 31°29'00"N., long. 110°25'02"W.; to lat. 31°24'00"N., long. 110°25'02"W.; to lat. 31°24'00"N., long. 110°45'02"W.; to lat. 31°45'00"N., long. 110°45'52"W.; to the point of beginning.

Altitudes. 8,000 feet MSL to FL 300, excluding that airspace within R-2303A when activated.

Time of designation. Monday-Friday, 0700–1600 local time; other times by NOTAM at least 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. U.S. Army Intelligence Center, Fort Huachuca, AZ.

R-2303C Fort Huachuca, AZ [New]

Boundaries. Beginning at lat. 31°35'00"N., long. 110°00'02"W.; to lat. 31°24'00"N., long. 110°00'02"W.; to lat. 31°24'00"N., long. 110°25'02"W.; to lat. 31°29'00"N., long. 110°25'02"W.; to lat. 31°29'00"N., long. 110°23'02"W.; to lat. 31°33'00"N., long. 110°23'02"W.; to lat. 31°34'00"N., long. 110°22'02"W.; to lat. 31°34'00"N., long. 110°08'32"W.; to lat. 31°40'40"N., long. 110°11'02"W.; to the point of beginning.

Altitudes. 15,000 feet MSL to FL 300.

Time of designation. Intermittent by NOTAM at least 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. U.S. Army Intelligence Center, Fort Huachuca, AZ.

Issued in Washington, DC, on July 12, 1995.

Nancy B. Kalinowski,

Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 95-17903 Filed 7-19-95; 8:45 am]

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14 CFR Part 73

[Airspace Docket No. 95-ASW-3]

Amendment of Restricted Areas R-6302B and R-6302E, Fort Hood; TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action lowers the upper limit of Restricted Area R-6302B from 30,000 feet mean sea level (MSL) to 11,000 feet MSL, and reduces the horizontal size of Restricted Area R-6302E, located at Fort Hood, TX. These amendments are necessary in order to implement revised departure routes associated with the Dallas/Fort Worth Metroplex Plan.

EFFECTIVE DATE: 0901 UTC, September 14, 1995.

FOR FURTHER INFORMATION CONTACT: Pete Magarelli, Military Operations Program Office (ATM-420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-7130.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 73 of the Federal Aviation Regulations reduces the size of restricted airspace at Fort

Hood, TX, by lowering the upper limit of Restricted Area R-6302B from 30,000 feet MSL to 11,000 feet MSL, and by reducing the lateral limits of Restricted Area R-6302E. This amendment is necessary to permit expansion of the departure route structure between Dallas/Fort Worth and Houston, TX, which will enhance the National Airspace System capacity under the Dallas/Fort Worth Metroplex Plan. This action returns formerly restricted airspace to public use, therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor amendment in which the public would not be particularly interested. Section 73.63 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8B dated March 9, 1994.

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.

Environmental Review

This action reduces the size of restricted airspace and is not subject to environmental assessments and procedures under FAA Order 1050.1D, “Policies and Procedures for Considering Environmental Impacts,” and the National Environmental Policy Act.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 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.

§ 73.63 [Amended]

2. Section 73.63 is amended as follows:

R-6302B Fort Hood, TX [Amended]

By removing “Designated Altitudes. Surface to 30,000 feet MSL.” and substituting “Designated Altitudes. Surface to 11,000 feet MSL.”

R-6203E Fort Hood, TX [Amended]

By removing the present boundaries and substituting the following:

Boundaries. Beginning at lat. 31°24'01"N., long. 97°48'01"W.; to lat. 31°23'01"N., long. 97°43'01"W.; to lat. 31°22'08"N., long. 97°41'56"W.; to lat. 31°21'01"N., long. 97°41'01"W.; to lat. 31°20'01"N., long. 97°41'01"W.; to lat. 31°14'01"N., long. 97°33'01"W.; to lat. 31°08'01"N., long. 97°39'01"W.; to lat. 31°10'01"N., long. 97°41'01"W.; to lat. 31°09'01"N., long. 97°43'31"W.; to lat. 31°09'01"N., long. 97°55'01"W.; to lat. 31°16'01"N., long. 97°54'01"W.; to lat. 31°19'01"N., long. 97°51'01"W.; to the point of beginning.

Issued in Washington, DC, on July 12, 1995.

Nancy B. Kalinowski,

Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 95-17901 Filed 7-19-95; 8:45 am]

BILLING CODE 4910-13-P

Federal Aviation Administration

14 CFR Part 97

[Docket No. 28278; Amdt. No. 1675]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register