

# Rules and Regulations

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## DEPARTMENT OF DEFENSE

### OFFICE OF PERSONNEL MANAGEMENT

#### 5 CFR Chapter XCIX

RIN 3206-AM 53

#### National Security Personnel System

**AGENCY:** Department of Defense; Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Department of Defense and Office of Personnel Management regulations concerning the National Security Personnel System (NSPS). Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 repealed the legal authority for NSPS and provided that any existing NSPS regulations would cease to be effective on January 1, 2012.

**DATES:** Effective January 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Paula Shipe, (703) 696-5376.

**SUPPLEMENTARY INFORMATION:** Section 1101 of Public Law 108-36 (November 24, 2003) codified at 5 U.S.C. 9902, gave the Department of Defense (DOD) authority to establish a National Security Personnel System (NSPS) in regulations jointly prescribed by DOD and OPM (Office of Personnel Management). The original regulations were issued on November 1, 2005 (70 FR 66116).

The NSPS law was subsequently amended by section 1106 of Public Law 110-181 (January 28, 2008) and section 1106 of Public Law 110-417 (October 14, 2008). These amendments resulted in revised DOD/OPM regulations, which were issued on September 26, 2008 (73 FR 56344) and January 16, 2009 (74 FR 2757).

Section 1113 of the National Defense Authorization Act for Fiscal Year 2010,

Public Law 111-84, October 28, 2009, repealed the legal authority for NSPS and provided that any existing NSPS regulations would cease to be effective on January 1, 2012. Accordingly, we are removing the NSPS regulations found in chapter XCIX of title 5 of the Code of Federal Regulations effective on January 1, 2012.

Office of Personnel Management.

**John Berry,**

*Director, Office of Personnel Management,*  
Department of Defense.

**Jo Ann Rooney,**

*Under Secretary of Defense for Personnel and Readiness.*

#### CHAPTER XCIX—[REMOVED]

Accordingly, by the authority of section 1113(b) of Public Law 111-84, the Department of Defense and the Office of Personnel Management are amending title 5 of the Code of Federal Regulations by removing chapter XCIX (consisting of part 9901).

[FR Doc. 2011-33235 Filed 12-27-11; 8:45 am]

**BILLING CODE 6325-39-P**

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS-2011-0029]

#### European Larch Canker; Expansion of Regulated Areas

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the domestic quarantine regulations by expanding the regulated area for European larch canker to include additional areas in Maine and by correcting some misidentifications of previously listed regulated areas. The interim rule was necessary to prevent human-assisted transmission of European larch canker from infested areas to noninfested areas.

**DATES:** Effective on December 28, 2011, we are adopting as a final rule the interim rule published at 76 FR 52543-52544 on August 23, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mr. Paul Chaloux, National Program Manager, Emergency and Domestic Programs, PPQ, APHIS, 4700 River Road, Unit 26, Riverdale, MD 20737; (301) 734-0917.

#### SUPPLEMENTARY INFORMATION:

##### Background

European larch canker (ELC), *Lachnellula willkommii* (Dasycypha), is a serious plant disease caused by a fungus that can kill mature and immature species of the genus *Larix* (larch) and *Pseudolarix* (Golden larch).

Under the regulations in “Subpart—European Larch Canker” (7 CFR 301.91 through 301.91-9, referred to below as the regulations), we restrict the interstate movement of certain regulated articles from regulated areas to prevent the spread of ELC. These regulations, which were established in May 1984, list parts of several counties in Maine as regulated areas.

In an interim rule<sup>1</sup> effective and published in the **Federal Register** on August 23, 2011 (76 FR 52543-52544, Docket No. APHIS-2011-0029), we amended the regulations to expand the regulated area for ELC to include additional areas in Maine. We also corrected some misidentifications of previously listed regulated areas.

Comments on the interim rule were required to be received on or before October 24, 2011.

We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule without change.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

<sup>1</sup>To view the interim rule, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0029>.

**PART 301—DOMESTIC QUARANTINE NOTICES**

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 76 FR 52543–52544 on August 23, 2011.

Done in Washington, DC, this 19th day of December 2011.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2011–33204 Filed 12–27–11; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE****Food Safety and Inspection Service****9 CFR Parts 332 and 381**

[Docket No. FSIS–2008–0039]

RIN 0583–AD37

**Cooperative Inspection Programs: Interstate Shipment of Meat and Poultry Products; Correction**

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Correcting amendments.

**SUMMARY:** This document corrects typographical errors in the final regulations establishing a new voluntary cooperative program under which certain very small and small State-inspected establishments will be eligible to ship meat and poultry products in interstate commerce. The final rule was published in the **Federal Register** on May 2, 2011, and became effective on July 1, 2011.

**DATES:** December 28, 2011.

**FOR FURTHER INFORMATION CONTACT:** Charles Williams, Acting Director, Policy Issuance Division, Office of Policy and Program Development, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250; (202) 720–5627; Fax (202) 690–0486.

**SUPPLEMENTARY INFORMATION:****Background**

On May 2, 2011, FSIS published in the **Federal Register**, the final rule, “Cooperative Inspection Programs; Interstate Shipment of Meat and Poultry Products” (76 FR 24714). The final rule amended the Federal meat and poultry products inspection regulations to establish a new cooperative inspection program under which State-inspected establishments with 25 or fewer employees on average will be permitted ship meat and poultry products in

interstate commerce. Two of the instructions for amending the regulations created typographical errors in the resulting regulatory language. The amendments in this document correct those errors.

**List of Subjects**

*9 CFR Part 332*

Grant programs-agriculture, Intergovernmental relations, Meat inspection.

*9 CFR Part 381*

Grant programs-agriculture, Intergovernmental relations, Poultry and poultry products.

Accordingly, 9 CFR parts 332 and 381 are corrected by making the following correcting amendments:

**PART 332—SELECTED ESTABLISHMENTS; COOPERATIVE PROGRAM FOR INTERSTATE SHIPMENT OF CARCASSES, PARTS OF CARCASSES, MEAT, AND MEAT FOOD PRODUCTS**

■ 1. The authority citation for part 332 continues to read as follows:

**Authority:** 21 U.S.C. 601–695; 7 U.S.C. 138–138i, 450, 1901–1906; 7 CFR 2.7, 2.18, 2.53.

**§ 332.3 [Amended]**

■ 2. Amend § 332.3 as follows:

■ a. In paragraph (c)(7) remove “and” after the semicolon.

■ b. In paragraph (c)(8) remove the period at the end of the paragraph and add “; and” in its place.

**PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS**

■ 3. The authority citation for part 381 continues to read:

**Authority:** 21 U.S.C. 451–472; 7 CFR 2.18, 2.53.

**§ 381.513 [Amended]**

■ 4. Amend § 381.513 as follows:

■ a. In paragraph (c)(7) remove “and” after the semicolon.

■ b. In paragraph (c)(8) remove the period at the end of the paragraph and add “; and” in its place.

Done in Washington, DC, on: December 19, 2011.

**Alfred V. Almanza,**  
*Administrator.*

[FR Doc. 2011–32877 Filed 12–27–11; 8:45 am]

**BILLING CODE 3410–DM–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 25**

[Docket No. FAA–2011–1172: Special Conditions No. 25–453–SC]

**Special Conditions: Gulfstream Aerospace LP (GALP) Model G280 Airplane, Operation Without Normal Electrical Power**

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

**ACTION:** Final special conditions.

**SUMMARY:** These special conditions are issued for the Gulfstream Aerospace LP (GALP) Model G280 airplane. This airplane will have a novel or unusual design feature associated with operation without normal electrical power. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** *Effective Date:* The effective date of these special conditions is December 20, 2011.

**FOR FURTHER INFORMATION CONTACT:** Nazih Khaouly, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–2432; facsimile (425) 227–1149.

**SUPPLEMENTARY INFORMATION:****Background**

On March 30, 2006, GALP applied for a type certificate for their new Model G280 airplane. The Model G280 will have a novel or unusual design feature associated with operation without normal electrical power.

**Type Certification Basis**

Under the provisions of Title 14, Code of Federal Regulations (14 CFR) 21.17, GALP must show that the Model G280 airplane meets the applicable provisions of part 25 as amended by Amendments 25–1 through 25–117.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model G280 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they