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Jerry W. Ball,

Acting Manager, Airspace Rules and
Aeronautical Information Division.

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Chapter I

[TD 91-77]

Technical Amendments to the Customs Regulations

AGENCY: U.S. Customs Service,
Department of the Treasury.

ACTION: Final rule.

SUMMARY: In accordance with Customs policy of periodically reviewing its regulations to ensure that they are current, this document makes certain changes which are necessary. The document corrects various organizational references in order to conform those references to the current organization of, and allocation of functional responsibilities within, Customs Headquarters. In addition, the document corrects certain out-of-date or otherwise incorrect references involving other government agencies. The changes are nonsubstantive or merely procedural in nature.

EFFECTIVE DATE: September 10, 1991.

FOR FURTHER INFORMATION CONTACT:
Francis W. Foote, Regulations and
Disclosure Law Branch (202-566-8237).

SUPPLEMENTARY INFORMATION:

Background

As part of a continuing program to keep its regulations current and accurate, Customs has determined that certain changes should be made to the regulations. A number of decisions have been taken at Customs Headquarters in recent years involving changes in the names and functional responsibilities of various Headquarters offices, divisions, branches and other entities. As a consequence of these organizational changes, the current regulations contain a significant number of references to former organizational entities which are now out-of-date in terms of name or functional context or both. Some of these out-of-date references do not directly affect the public in that they relate primarily to internal Customs procedures. In other cases, however, the out-of-date reference may concern the office to which a member of the public should refer a specific matter for

decision or for purposes of obtaining informal information or advice, in which case the incorrect reference could complicate efforts to communicate with Customs and delay resolution of the matter. In addition, in connection with this review of the regulations Customs has found a number of references to agencies or offices outside Customs which are out-of-date or otherwise incorrect and thus should be corrected. The changes set forth in this document are nonsubstantive or merely procedural in nature.

Inapplicability of Notice and Delayed Effective Date Requirements

Inasmuch as these amendments merely conform the Customs Regulations to agency organization, procedure, or practice and provide necessary information for the general public, pursuant to 5 U.S.C. 553 (a)(2) and (b)(3), notice and public procedures are not required and would be contrary to the public interest and, for the same reasons pursuant to 5 U.S.C. 553 (a)(2) and (d)(3), a delayed effective date is not required.

Executive Order 12291

Because this document relates to agency management, it is not subject to Executive Order 12291.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Drafting Information

The principal author of this document was Francis W. Foote, Regulations and Disclosure Law Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

Amendments to the Regulations

Accordingly, under the authority of 19 U.S.C. 66 and 1624, 19 CFR chapter I is amended as set forth below:

In the list below, for each section indicated in the left column, remove the words indicated in the middle column from wherever they appear in the CFR designation, and add the words indicated in the right column:

CFR Designation	Remove	Add
§ 4.14(b)(2)(iii)(A)	Office of Investigations.	Office of Enforcement.
§ 4.72(a)	Food Safety and Quality Service.	Food Safety and Inspection Service.

CFR Designation	Remove	Add
§ 4.80(b)	Carriers, Drawback and Bonds Division.	Carrier Rulings Branch.
§ 10.8(c) introductory text.	Post Office Department.	U.S. Postal Service.
§ 10.37	Carriers, Drawback and Bonds Division.	Commercial Rulings Division.
	Entry Procedures and Penalties Division.	International Trade Compliance Division.
§ 10.38(f)	Office of Investigations.	Office of Enforcement.
§ 18.7(c)	Office of Investigations.	Office of Enforcement.
§ 24.13a(g)	Office of Inspection and Control, Cargo Processing Division.	Office of Cargo Enforcement and Facilitation.
§ 24.32(b)	Civil Service Commission.	Office of Personnel Management.
§ 24.70(c)	Assistant Director (Accounting), Division of Financial Management, United States Customs Service.	Director, National Finance Center.
§ 101.3(a)	Assistant Secretary (Enforcement & Operations).	Assistant Secretary (Enforcement).
§ 103.0	Disclosure Law Branch.	Regulations and Disclosure Law Branch.
	Public Information Division.	Public Information Office.
§ 103.5 (b)(1) and (d)(1).	Disclosure Law Branch.	Regulations and Disclosure Law Branch.
§ 103.8(a)(3)	Public Affairs Division.	Public Affairs Office.
§ 103.14(d)(1)(iii)	Disclosure Law Branch, Regulations Control and Disclosure Law Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2325, Washington, DC 20229.	Regulations and Disclosure Law Branch, Headquarters, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, DC 20229.
§ 103.14(d)(1)(iv)	Disclosure Law Branch.	Regulations and Disclosure Law Branch.

CFR Designation	Remove	Add	CFR Designation	Remove	Add	CFR Designation	Remove	Add
§ 103.14(d)(2)(iii)	Disclosure Law Branch, Regulations Control and Disclosure Law Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2325, Washington, DC 20229.	Regulations and Disclosure Law Branch, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229.	§ 133.5(c)	United States Patent Office.	U.S. Patent and Trademark Office.	§ 133.37(b) and § 133.47.	Commissioner of Customs, Attention: Entry, Licensing and Restricted Merchandise Branch, Washington, DC 20229.	Intellectual Property Rights Branch.
§ 111.19(d)	Director, Entry Procedures and Penalties Division.	Office of Trade Operations.	§ 133.6	Commissioner of Customs.	Intellectual Property Rights Branch.	§ 145.37(a)	Copyright Office.	U.S. Copyright Office.
§ 111.30(d)	Entry, Licensing and Restricted Merchandise Branch.	Office of Trade Operations.	§ 133.6(a)	U.S. Patent Office.	U.S. Patent and Trademark Office.	§ 146.81(b)	Entry Procedures and Penalties Division.	International Trade Compliance Division.
§ 111.92	Entry Procedures and Penalties Division.	International Trade Compliance Division.	§ 133.7(a)	Commissioner of Customs.	Intellectual Property Rights Branch.	§ 146.83(a)	Carriers, Drawback and Bonds Division.	Commercial Rulings Division.
§ 113.14, § 113.15, § 113.38(c) (1) and (5) and § 113.39 (a) introductory text and (b).	Carriers, Drawback and Bonds Division.	Commercial Rulings Division.	§ 133.7(a)(1)	U.S. Patent Office.	U.S. Patent and Trademark Office.	§ 148.55(a)	U.S. Patent Office.	U.S. Patent and Trademark Office.
§ 122.76	Animal and Plant Inspection Service.	Animal and Plant Health Inspection Service.	§ 133.7(b)	Commissioner of Customs.	Intellectual Property Rights Branch.	§ 148.105(a)	Office of Operations.	Office of Commercial Operations.
§ 122.173(b)	Inspection and Control.	Office of Inspection and Control.	§ 133.11	Patent Office	U.S. Patent and Trademark Office.	§ 151.42(a)(3)	Technical Services Division.	Office of Laboratories and Scientific Services.
§ 122.176(a)	Inspection and Control.	Office of Inspection and Control.	§ 133.12	Commissioner of Customs, Washington, DC 20229.	Intellectual Property Rights Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229.	§ 161.2(a)(2)	Bureau of Narcotics and Dangerous Drugs.	Drug Enforcement Administration.
§ 133.1(a)	U.S. Patent Office.	U.S. Patent and Trademark Office.	§ 133.15	Commissioner of Customs.	Intellectual Property Rights Branch.	§ 161.2(a)(4)	Atomic Energy Commission.	Nuclear Regulatory Commission.
§ 133.2 introductory text.	Commissioner of Customs, Washington, DC 20229.	Intellectual Property Rights Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229.	§ 133.32	Commissioner of Customs, Attention: Entry, Licensing and Restricted Merchandise Branch, Washington, DC 20229.	Intellectual Property Rights Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229.	§ 162.74 (c), (d)(3), (d)(4)(i), and (e)(1).	Office of Investigations.	Office of Enforcement.
§ 133.3(a)(1)	United States Patent Office.	U.S. Patent and Trademark Office.	§ 133.35(a)	Commissioner of Customs.	Intellectual Property Rights Branch.	§ 171.15(a)(4)	Entry Procedures and Penalties Division.	International Trade Compliance Division.
§ 133.3(a)(2)	Patent and Trademark Office.	U.S. Patent and Trademark Office.	§ 133.36	Commissioner of Customs.	Intellectual Property Rights Branch.	§ 177.22(b) introductory text.	Entry Procedures and Penalties Division.	Commercial Rulings Division.
§ 133.4(b)	Patent Office	U.S. Patent and Trademark Office.				§ 191.10(e)(1)(i), § 191.21 (c) and (d), and § 191.27(c).	Drawback and Bonds Branch.	Entry Rulings Branch.

Carol Hallett,

Commissioner of Customs.

Approved: August 22, 1991.

John P. Simpson,

Acting Assistant Secretary of the Treasury.

[FR Doc. 91-21579 Filed 9-9-91; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF LABOR**Office of the Secretary****29 CFR Part 92**

RIN 1214-AA04

Redwood Employee Protection Program; Bureau of Labor Management Relations and Cooperative Programs**AGENCY:** Office of the Secretary, Labor.**ACTION:** Final rule; removal of a part.

SUMMARY: The Department of Labor has been responsible for administering significant aspects of the Redwood Employee Protection Program established by title II of the Redwood National Park Expansion Act of 1978 (Pub. L. 95-250). The statute has provided benefits to eligible employees of timber harvesting and related wood processing firms adversely affected by the Park expansion. The final date for industry workers to establish basic eligibility was September 30, 1989. On April 1, 1991, a notice proposing that part 92 be removed was published at 56 FR 13299. No comments were received by the Department in response to this notice. Now the Department is announcing a date certain after which time additional applications for benefits, or appeals of previous benefit decisions, will be considered untimely. The effect of this action will be to bring to a close this Agency's responsibility under this statute. Accordingly, part 92 is being removed from the Code of Federal Regulations.

EFFECTIVE DATE: October 10, 1991.

FOR FURTHER INFORMATION CONTACT: Kelley Andrews, Director, Office of Statutory Programs, U.S. Department of Labor, room S-2203, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 523-6071. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Title II of the Redwood National Park Expansion Act of 1978 provides monetary and non-monetary benefits to eligible employees of timber harvesting and related wood processing firms adversely affected (laid off, terminated, or downgraded) by the Park expansion. Under the Act, employees were required to apply for benefits no later than September 30, 1980. Some older employees were eligible for benefits until age 65—about September 30, 1989.

Determination Appeals

In accordance with title II of the Act, employees whose applications for benefits were rejected had the right to appeal to this agency for review and

reconsideration prior to October 1, 1989. While new appeals have ceased, this regulation provides official notice of the expiration of the appeal process and completes this agency's determination review responsibility for benefit eligibility. Therefore, any appeal submitted to this agency for review and reconsideration after the adoption of this regulation will be considered untimely and dismissed. Any such appeal resulting from actions taken on any cases currently before the Secretary will, however, be considered timely.

Health Benefit Claims

Under title II of the Act, this agency has been reviewing health benefits claims for eligible employees and ensuring their payment. While no new health claims could be incurred after September 30, 1989, this agency has allowed a grace period for eligible employees to gather cost statements from health-care providers to submit to this agency. This regulation provides official notice of the expiration of the period allotted for the submission of health benefits claims. Therefore, claims submitted after the adoption of this regulation will be considered untimely and will be returned.

Pension Benefit Claims

Also under title II of the Act, this agency has been reviewing pension benefit claims for eligible employees. September 30, 1989, was the final date for pension eligibility. This regulation provides official notice of the expiration of the period allotted for the submission of pension claims. Therefore, claims submitted after the adoption of this regulation will be considered untimely.

E.O. 12291

This rule does not have the financial or other impact to make it a major rule and, therefore, the preparation of a regulatory impact analysis is not necessary under E.O. 12291.

Paperwork Reduction Act

There are no information collection requirements under this rule.

Regulatory Flexibility Act

This rule will not have a significant economic impact upon a substantial number of small entities. The Secretary has certified this fact to the Small Business Administration, and no regulatory impact analysis is necessary under the Regulatory Flexibility Act.

List of Subjects in 29 CFR Part 92

Unemployment compensation, National parks.

Accordingly, under the authority 5 U.S.C. 301, part 92 of title 29 of the Code of Federal Regulations is removed.

Signed at Washington, DC, this 3rd day of September, 1991.

Lynn Martin,

Secretary of Labor.

[FR Doc. 91-21684 Filed 9-9-91; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 52 and 81**

[TX5-1-5218; FRL-3986-8]

Approval and Promulgation of Implementation Plans; Revisions of the Texas Air Control Board Rules for Particulate Matter (PM₁₀) Designation of Areas for Air Quality Purposes Reclassification of Total Suspended Particulate Matter**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rulemaking.

SUMMARY: This Federal Register notice approves several revisions to the State Implementation Plan (SIP) submitted by the State of Texas for (1) adding new particulate matter definitions, and (2) reviewing and evaluating the State's existing particulate matter regulations for protecting the PM₁₀ standards under 40 CFR Part 51. Also, the EPA approves the State's request for reclassifying the existing nonattainment Total Suspended Particulate (TSP) areas in Texas from "nonattainment" to "unclassifiable" status, under 40 CFR part 81. These revisions only update the affected State regulations for meeting the regulatory requirements of particulate matter in terms of PM₁₀. It should be noted that this notice is not intended for taking any action on or addressing the PM₁₀ "nonattainment" SIP issues in Texas. The PM₁₀ nonattainment SIPs will be submitted by the State in accordance with the provisions of the 1990 Clean Air Act Amendments, and EPA will take appropriate action accordingly at a later date in separate notices.

These revisions are partially in response to the requirements of the PM₁₀ National Ambient Air Quality Standards that were promulgated by the EPA in the Federal Register notice of July 1, 1987 (52 FR 24634). This action today only approves the Texas PM₁₀ statewide regulatory requirements. The EPA published a notice of its final action on the committal PM₁₀ SIPs (Group II SIPs) for the State of Texas on June 16, 1989.