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FOR FURTHER INFORMATION CONTACT: Michael T. Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone: 301-415-7163 or Toll Free 800-368-5642, or e-mail mtl@nrc.gov.

SUPPLEMENTARY INFORMATION:

Petitioner

The OAS is a nonprofit, voluntary, scientific and professional society incorporated in the District of Columbia. The membership of OAS consists of state radiation control directors and staff from the 33 Agreement States who are responsible for implementation of their respective radioactive materials programs. The purpose of the OAS is to provide a mechanism for these Agreement States to work with each other and with the NRC on regulatory issues associated with their respective agreements. Agreement States are those states that have entered into an effective regulatory discontinuance agreement with the NRC under subsection 274b. of the Atomic Energy Act (AEA). The role of the Agreement State is to regulate most types of radioactive material in accordance with the compatibility requirements of the AEA.

Discussion

The petitioner requests that the NRC amend its regulations in 10 CFR 35.55, 10 CFR 35.190, 10 CFR 35.290, and 10 CFR 35.390, specify the minimum number of didactic (classroom and laboratory) training hours for the authorized nuclear pharmacists and the authorized users identified in these sections. The NRC revised 10 CFR Part 35, Medical Use of Byproduct Material, on April 24, 2002. The revised training and experience requirements in 10 CFR 35.55, 35.190, 35.290 and 35.390 require

training and experience to include both classroom and laboratory training and supervised work experience, but there is no specified breakdown in these sections of these hours. The petitioner states that, in the current regulations, minimum numbers of didactic training hours for radiation safety training are not specified or separated from the total training hours. Part 35, Subpart J (which was reinserted into the current rule but will expire in October 2005), does specify a minimum number of classroom and laboratory training hours and supervised work experience.

The petitioner believes that the lack of clearly defined didactic (*i.e.*, classroom and laboratory) training hours for this rule weakens the rule's consistency and uniformity. The petitioner further believes that need for specified didactic training hours is a radiation safety issue rather than a "practice of medicine" issue. The petitioner also believes that radiation safety for the patient and the occupational radiation workers may be compromised. The petitioner states that a majority of radiation safety principles and procedures are learned during this classroom and laboratory training. The petitioner also asserts that the inclusion of a specification for a minimum number of hours of classroom and laboratory training ('didactic' training), in §§ 35.55, 35.190, 35.290, and 35.390, will increase consistency and uniformity of requirements between States and make it easier to maintain regulations that are consistent with the NRC's designation of requirements for training and experiences as compatibility category B.

Conclusion

The NRC is currently revising the training and experience requirements of Part 35. Among the issues being addressed in the current rulemaking is whether a minimum number of didactic training hours should be defined and specified in §§ 35.55, 35.190, 35.290 and 35.390. Therefore the NRC will address the issues raised in this petition as part of the ongoing rulemaking, "Medical Use of Byproduct Material—Recognition of Speciality Boards (RIN No. AH19)." A proposed rule was published in the **Federal Register** on December 9, 2003 (68 FR 68549). Because the issues raised by this petition are being considered in a current rulemaking, NRC is not instituting a separate public comment period for this action.

Dated at Rockville, Maryland, this 22nd day of October 2004.

For the Nuclear Regulatory Commission.
Annette Vietti-Cook,
Secretary of the Commission.
[FR Doc. 04-24097 Filed 10-27-04; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

Docket No. FAA-2003-19053; Airspace Docket No. 04-ANM-10

RIN 2120-AA66

Proposed Revision of VOR Federal Airway 208

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify Federal Airway 208 (V-208) by changing the originating point of the airway from the Santa Catalina, CA, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC) to the Ventura, CA, VORTAC. The proposed modification would extend V-208 by incorporating a route segment that air traffic control (ATC) frequently assigns to aircraft arriving at the Los Angeles, CA, terminal area. The proposed change would enhance the management of aircraft in the Southern California area.

DATES: Comments must be received on or before December 13, 2004.

ADDRESSES: Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify FAA Docket No. FAA-2004-19053 and Airspace Docket No. 04-ANM-10, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules, Office of System Operations and Safety, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis

supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2004-19053 and Airspace Docket No. 04-ANM-10) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://dms.dot.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2004-19053 and Airspace Docket No. 04-ANM-10." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the **Federal Register's** Web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, Washington, 98055-4056.

Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory

Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

Currently, the Southern California Terminal Radar Approach Control (TRACON) and the Los Angeles Air Route Traffic Control Center (ARTCC) issue clearances to aircraft along specified radials to separate enroute aircraft from jet aircraft departing the Los Angeles International Airport. However, these clearances increase both pilot and ATC workload. As such these facilities request that V-208 be modified to incorporate these clearances. This proposed action responds to that request.

The Proposal

This action proposes to amend Title 14 Code of Federal Regulations (14 CFR) part 71 (part 71) to modify Federal airway V-208 by changing the originating point of the airway from the Santa Catalina VORTAC to the Ventura VORTAC. The revision would incorporate routing that is currently issued by ATC when managing aircraft in the Los Angeles, CA, terminal area. Extending V-208 as described above would significantly reduce pilot-controller communications, alleviate radio frequency congestion, reduce the potential for pilot readback errors, and enhance the management of aircraft operations in the Southern California area.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 proposed rule, when promulgated, 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).

The Proposed Amendment

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

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

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

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways

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V-208 [Revised]

From Ventura, CA 175° Santa Catalina, CA, 310° Oceanside, CA; Julian, CA; Thermal, CA; Twentynine Palms, CA; 20 miles, 24 miles 73 MSL, Needles, CA; Peach Springs, AZ; Grand Canyon, AZ; INT Grand Canyon 095° and Tuba City, AZ, 246° radials; Tuba City; Page, AZ; Hanksville, UT; Carbon, UT; Myton, UT; 79 MSL, Vernal, UT, 25 miles, 105 MSL, Cherokee, WY. The airspace within R-2503 and the airspace below 2,000 feet MSL outside the United States is excluded. The portion outside the United States has no upper limit.

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Issued in Washington, DC, October 19, 2004.

Reginald C. Matthews,

Manager, Airspace and Rules.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Parts 201, 203, 205, 215, 298, 380, 385, and 389

[Docket No. OST-2004-19426]

RIN 2105-AD43

Elimination of Commuter Air Carrier Registrations

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department proposes to amend the regulations governing air taxi