

number of small entities under the criteria of the Regulatory Flexibility Act.

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in title 49 of the United States Code. Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with issuing regulations to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it defines controlled airspace in the vicinity of the Westover AFB to ensure the safety of aircraft operating near that airport and the efficient use of that airspace.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—[AMENDED]

■ 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.

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

Paragraph 5000 Class D Airspace.

* * * * *

ANE MA D Springfield/Chicopee, MA [Revised]

Springfield/Chicopee, Westover AFB, MA
(Lat. 42°11'38" N, long. 72°32'05" W)

That airspace extending upward from the surface to and including 2,700 feet MSL within 5.7-mile radius of Westover AFB. This Class D airspace is effective during the specific dates and times established in advance by a Notice to Airman. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Burlington, MA, on November 18, 2004.

William C. Yuknewicz,

Director of Operations, Eastern Flight Service Area.

[FR Doc. 04–26750 Filed 12–3–04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2004–16091; Airspace Docket No. 03–ACE–74]

RIN 2120–AA66

Establishment of Jet Route 187, and Revision of Jet Routes 180 and 181; MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Jet Route 187 (J–187) from the Memphis, TN, Very High Frequency Omni-directional Range/Tactical Air Navigation (VORTAC) to the Foristell, MO, VORTAC. This action also extends J–180 from the Little Rock, AR, VORTAC to the Foristell VORTAC, and realigns J–181 between the Neosho Very High Frequency Omni-directional Range/Distance Measuring Equipment (VOR/DME) and the BAYLI intersection. The FAA is taking this action to enhance the management of aircraft operations over the St. Louis, MO area.

EFFECTIVE DATE: 0901 UTC, March 17, 2005.

FOR FURTHER INFORMATION CONTACT: Steve Rohring, 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:

History

On April 15, 2004, the FAA published in the **Federal Register** a notice proposing to establish J–187, and revise J–180 and J–181 (69 FR 19963). As part of the National Airspace Redesign project, a review of aircraft operations has identified a need to revise the jet route structure over the St. Louis, MO area. The FAA believes that establishing J–187 and revising the existing J–180 and J–181 will enhance the management of aircraft operations destined for the Lambert-St. Louis International Airport and the Chicago O'Hare International Airport. Interested parties were invited

to participate in this rulemaking proceeding by submitting written comments on this proposal to the FAA. No comments were received in response to the proposal.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 (part 71) by establishing J–187, and revising J–180 and J–181 in the St. Louis, MO area. Specifically, this action establishes J–187 from the Memphis, TN, VORTAC to the Foristell, MO, VORTAC. This action also revises J–180 by extending it from the Little Rock, AR, VORTAC to the Foristell VORTAC and J–181 by realigning the segments between the Neosho VOR/DME and the BAYLI intersection. The FAA believes that this action will enhance the management of aircraft operations over the St. Louis, MO area.

Jet routes are published in paragraph 2004 of FAA Order 7400.9L dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The jet routes listed in this document will be published subsequently in the order.

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. Therefore, this regulation: (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, when promulgated, 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 FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with Paragraph 311(a) of FAA Order 1050.1E, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by Reference, Navigation (air).

The Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 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 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

Paragraph 2004 Jet Routes

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J-180 [Revised]

From Humble, TX; Daisetta, TX; Sawmill, LA; Little Rock, AR; Foristell, MO.

J-181 [Revised]

From Ranger, TX; Okmulgee, OK; Neosho, MO; Hallsville, MO; INT Hallsville 053° and Bradford, IL, 219° radials; to Bradford.

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J-187 [New]

From Memphis, TN; Foristell, MO.

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Issued in Washington, DC, on November 29, 2004.

Reginald Matthews,

Manager, Airspace and Rules.

[FR Doc. 04–26749 Filed 12–3–04; 8:45 am]

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DEPARTMENT OF LABOR**Occupational Safety and Health Administration****29 CFR Part 1926**

[Docket No. H040]

RIN 1218–0184

Methylenedianiline in Construction; Correction

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Final rule; correction.

SUMMARY: OSHA is revising the regulatory text of the

Methylenedianiline (MDA) Standard for Construction to correct a cross reference to OSHA's standard on emergency action plans and fire prevention plans.

DATES: This final rule becomes effective January 5, 2005.

FOR FURTHER INFORMATION CONTACT:

George Shaw, Acting Director, OSHA Office of Communication, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone: (202) 693–1999.

SUPPLEMENTARY INFORMATION:

On November 2002, the Agency published a final rule entitled “Exit Routes, Emergency Action Plans, and Fire Prevention Plans (67 FR 67949).” This action was taken in part to clarify and make consistent provisions regrading emergency action plans and fire prevention plans in several general industry standards. In that final rule, OSHA separated the requirements for emergency action plans and fire protection plans into two separate sections, 1910.38 and 1910.39, respectively.

Several general industry health standards were revised at that time to reflect this change. The general industry standard for MDA (29 CFR 1910.1050(d)(1)(iii)) was revised to read as follows: “The plan shall specifically include provisions for alerting and evacuating affected employees as well as elements prescribed in 29 CFR 1910.38 and 29 CFR 1910.39, ‘Emergency actions plans’ and ‘Fire prevention plans,’ respectively.” The same provision in the MDA Standard for Construction (29 CFR 1926.60) was not similarly revised at that time. Since the Agency intended to revise all health standards to reflect this change, OSHA is accordingly correcting the MDA Construction Standard to make it consistent with the revised language in the other health standards. In making this correction, OSHA maintains the safety and health protection provided to employees without increasing the regulatory burden on employers.

List of Subjects in 29 CFR Part 1926

Chemicals, Construction industry, Diving, Electric power, Fire prevention, Gases, Government Contracts, Hazardous substances. Health records, Lead, Motor vehicle safety, Noise control, Occupational safety and health, Radiation protection. Reporting and recordkeeping requirements, Signs and symbols.

■ Therefore, OSHA amends 29 CFR part 1926 as follows:

PART 1926—[CORRECTED]**Subpart D—Occupational Health and Environmental Controls**

■ 1. The authority citation for part 1926 subpart D is revised to read as follows:

Authority: Sec. 107, Contract Work Hours and Safety Standards Act (40 U.S.C. 333); secs. 4, 6, and 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736), 6–96 (62 FR 111), or 5–2002 (67 FR 65008), as applicable, and 29 CFR part 1911.

■ 2. In § 1926.60, paragraph (e)(1)(iii) is revised to read as follows:

§ 1926.60 Methylenedianiline

(e) * * *

(1) * * *

(iii) The plan shall specifically include provisions for alerting and evacuating affected employees as well as the applicable elements prescribed in 29 CFR 1910.38 and 29 CFR 1910.39, “Emergency action plans” and “Fire prevention plans,” respectively.

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Authority and Signature

John L. Henshaw, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Ave., NW., Washington, DC 20210, directed the preparation of this notice under the authority granted by: Sections 4, 6(b), 8(c), and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); section 107 of the Contract Work Hours and Safety Standards Act (the Construction Safety Act) (40 U.S.C. 333); section 41, the Longshore and Harbor Worker's Compensation Act (33 U.S.C. 941); Secretary of Labor's Order No. 5–2002 (67 FR 65008); and 29 CFR part 1911.

Signed at Washington, DC, this 18 day of November 2004.

John L. Henshaw,

Assistant Secretary of Labor.

[FR Doc. 04–26739 Filed 12–3–04; 8:45 am]

BILLING CODE 4510–26–M

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 117**

[CGD01–04–142]

Drawbridge Operation Regulations: Connecticut River, CT

AGENCY: Coast Guard, DHS.