

regulatory changes from some Agreement States.

(ii) An industry respondent indicated that early notification of potential revisions in Agreement State regulations would alert the NRC to possible rule inconsistencies and non-compatibility problems before changes become final, which would facilitate a greater awareness and understanding of the changes.

(iii) A public interest group expressed concern that the difficulties encountered by the petitioner may stem from State government favoritism toward in-State businesses to the detriment of out-of-State entities who are affected by the State's actions.

(iv) One respondent, a private consultant, indicated that without a mechanism for learning about proposed and completed regulatory actions in Agreement States, it was too time consuming and expensive for individuals to obtain this information.

(v) One industry respondent indicated that although there were a number of ways interested parties could obtain the desired regulatory information requested by the petition, they did not assume that these parties would be informed. In addition, it is believed there is a lack of uniformity and consistency among the Agreement States in how interested parties are notified of proposed and completed regulations. This respondent, while supporting the petition, indicated he preferred a simpler solution (unspecified) for providing uniform and timely information to parties interested in Agreement State regulations. He also believed the Organization of Agreement States was in the best position to develop such a solution.

#### Reasons for Denial

The NRC reviewed the amendments proposed in the petition, considered the comments received, and concluded that the arguments made by the petitioner are not sufficient to warrant amending 10 CFR parts 2 and 150. The reasons for denial are as follows:

1. The petition does not discuss any situation in which the public health and safety is an issue or any apparent safety benefit that will be derived by collecting and disseminating the information requested by the petition. Thus, the NRC foresees no basis for the additional administrative burden or increased costs to collect and disseminate this information in the manner suggested by the petition.

2. The process of collecting and disseminating the information pursuant to the petition would place an administrative and economic burden on

both the NRC and Agreement States. The petitioner did not address the costs for developing the information system that would be necessary to implement the proposed amendments in the petition or consider the reporting burdens that would be imposed on both the Agreement States and the NRC to support the operation of such a system. The petitioner did not consider the costs associated with system operational problems, the need for additional staff resources at both the NRC and Agreement States, the need for administrative procedures for tracking information and documentation system instructions, and the costs for periodically publishing notices of the information under NRC auspices in the Federal Register.

3. The information sought by the petitioner is already available through other mechanisms. Based on a review of the public comments, several means presently exist by which interested parties who are not licensed in a particular Agreement State can access information on proposed or completed regulation changes in a particular Agreement State. As previously mentioned, several Agreement State respondents indicated that, as required by State statute, they maintain state registers in which proposed and completed regulatory actions of that State are published. The information on the State Registers is available to interested parties on a subscription basis, by mail, or by telephone.

The Conference of Radiation Control Program Directors, Inc., also maintains a directory that includes the name, address, and telephone number of Agreement State public officials responsible for radiological health programs. By making a telephone call to the appropriate Agreement State public official, a requester can obtain information about the latest proposed and completed regulatory actions in that State. In addition, the NRC maintains a list of Agreement State contacts that includes telephone and facsimile numbers and addresses. Interested parties can call or write to the NRC to obtain this information. The NRC also sponsors open meetings twice a year to discuss Agreement State and NRC regulatory matters.

Because of the potential administrative burden and added costs associated with the development and operation of an information system to support the requests in the petition without an accompanying health and safety benefit, and because alternative means are currently available to the petitioner and interested parties to acquire the desired information about

Agreement State regulatory activities, the petition for rulemaking filed by the Measurex Corporation (PRM-150-3) is denied.

Dated at Rockville, MD, this 26th day of December 1995.

For the Nuclear Regulatory Commission.  
Hugh L. Thompson, Jr.,

*Acting Executive Director for Operations.*  
[FR Doc. 96-965 Filed 1-23-96; 8:45 am]

BILLING CODE 7590-01-P

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 95-ASW-15]

#### Proposed Revision of Class E Airspace; Gainesville, TX

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to revise the Class E airspace extending upward from 700 feet above ground level (AGL) at Gainesville, TX. A new Global Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway (RWY) 17 at Gainesville Municipal Airport has made this proposal necessary. The intended effect of this proposal is to provide adequate controlled airspace for aircraft executing the GPS SIAP to RWY 17 at Gainesville Municipal Airport, Gainesville, TX.

**DATES:** Comments must be received on or before February 29, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to Manager, System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 95-ASW-15, Fort Worth, TX 76193-0530.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, System Management Branch, Federal Aviation Administration, Southwest Region, Fort

Worth, TX 76193-0530; telephone: (817) 222-5593.

#### 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 the airspace docket number and be submitted in triplicate to the address listed under the caption **ADDRESSES**. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit, with those comments, a self-addressed, stamped, postcard containing the following statement: "Comments to Airspace Docket No. 95-ASW-15." The postcard will be date and 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 notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX 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.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed under the caption **ADDRESSES**. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit, with those comments, a self-addressed, stamped, postcard containing the following statement: "Comments to Airspace Docket No. 95-ASW-15." The postcard will be date and 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 notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX 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

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A that describes the application procedure.

##### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to

revise the Class E airspace, controlled airspace extending upward from 700 feet AGL, at Gainesville Municipal Airport, Gainesville, TX. A new GPS SIAP to RWY 17 has made this proposal to amend the controlled airspace necessary. The intended effect of this proposal is to provide adequate Class E airspace for aircraft executing the GPS SIAP to Rwy 17 at Gainesville, TX.

The coordinates for this airspace docket are based on North American Datum 83. Designated Class E airspace areas extending upward from 700 feet or more above ground level are published in Paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations that need frequent and routine amendments 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, when promulgated, will not have a significant 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—[AMENDED]**

1. The authority citation for 14 CFR part 71 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.

##### **§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, *Airspace Designations and Reporting Points*, dated August 17, 1995, and effective

September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

ASW TX E5 Gainesville, TX [Revised]

Gainesville Municipal Airport, TX  
(Lat. 33°38'57" N., long. 97°11'43" W.)  
Gainesville RBN  
(Lat. 33°42'24" N., long. 99°10'19" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Gainesville Municipal Airport and within 1.5 miles each side of the 003° bearing from the Gainesville RBN extending from the 6.6-mile radius to 9.3 miles north of the airport and within 1 mile each side of the 001° bearing from the airport from the 6.6-mile radius to 10.4 miles north of the airport.

\* \* \* \* \*

Issued in Fort Worth, TX on January 3, 1996.

Albert L. Viselli,

*Acting Manager, Air Traffic Division,  
Southwest Region.*

[FR Doc. 96-993 Filed 1-23-96; 8:45 am]

**BILLING CODE 4910-13-M**

#### **14 CFR Part 71**

**[Airspace Docket No. 95-ASW-16]**

#### **Proposed Establishment of Class E Airspace; Reserve, LA**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to establish Class E airspace extending upward from 700 feet above ground level (AGL) at Saint John The Baptist Parish Airport, Reserve, LA. The development of a Global Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway (RWY) 17 has made this proposal necessary. The intended effect of this proposal is to provide adequate controlled airspace for aircraft executing the GPS SIAP to RWY 17 at Reserve, LA.

**DATES:** Comments must be received on or before February 29, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to Manager, System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 95-ASW-16, Fort Worth, TX 76193-0530.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, between 9 a.m. and 3 p.m., Monday