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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-AEA-08]

#### Establishment of Class E Airspace; Saluda, VA

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Saluda, VA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Hummel Field Airport, Saluda, VA has made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Hummel Field Airport.

**EFFECTIVE DATE:** 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frances T. Jordan, Airspace Specialist, Operations Branch, AEA-530, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553-4521.

#### SUPPLEMENTARY INFORMATION:

##### History

On September 17, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing a Class E airspace area at Hummel Field Airport, Saluda, VA (61 FR 48870). The development of a GPS RWY 1 SIAP at Hummel Field Airport has made this action necessary.

Interested parties were invited to participate in this rulemaking

proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

##### The rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) establishes a Class E airspace area at Saluda, VA. The development of a GPS RWY 1 SIAP at Hummel Field Airport has made this action necessary. The intended effect of this action is to provide adequate Class E airspace for aircraft executing the GPS RWY 1 SIAP at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendment 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 10034; 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 will not have 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

Airspace, Incorporation by reference, Navigation (air).

##### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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. 106(g), 40103, 40113, 40120, EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

AEA VA E5 Saluda, VA [New]

Hummel Field Airport, VA

(Lat. 37°36'01" N, 76°26'59" W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Hummel Field Airport and within 4 miles either side of the 176° bearing from the Hummel Field Airport extending from the 6-mile radius to 9 miles south of the airport.

\* \* \* \* \*

Issued in Jamaica, New York on October 25, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 96-29071 Filed 11-12-96; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 990

RIN 0648-AE13

#### Natural Resource Damage Assessments

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of availability.

**SUMMARY:** Section 1006(e)(1) of the Oil Pollution Act of 1990 requires the President, acting through the Under Secretary of Commerce for Oceans and Atmosphere, to promulgate regulations for the assessments of natural resource damages resulting from the discharge of oil. The National Oceanic and Atmospheric Administration (NOAA) promulgated final regulations on January 5, 1996. As part of the development of the regulations, NOAA has developed five natural resource damage assessment guidance documents. These documents are not regulatory in nature, but are designed to

provide guidance to natural resource trustees using the natural resource damage assessment regulations.

**DATES:** The five guidance documents are available as of November 13, 1996.

**ADDRESSES:** Written inquiries are to be submitted to: NOAA, Damage Assessment Center, Attn: Eli Reinharz, 1305 East-West Highway, SSMC #4, N/ORCAx1, Workstation #10218, Silver Spring, MD 20910-3281.

**FOR FURTHER INFORMATION CONTACT:** Eli Reinharz, 1305 East-West Highway, SSMC #4, N/ORCAx1, Workstation #10218, Silver Spring, MD 20910-3281, phone: (301) 713-3038, ext. 193; facsimile: (301) 713-4387, e-mail: ereinharz@spur.nos.noaa.gov.

**SUPPLEMENTARY INFORMATION:** The Oil Pollution Act of 1990 (OPA), 33 U.S.C. 2701 *et seq.*, provides for the prevention of, liability for, removal of, and compensation for the discharge, or substantial threat of discharge, of oil into or upon the navigable waters of the United States, adjoining shorelines, or the Exclusive Economic Zone. Section 1006(e) requires the President, acting through the Under Secretary of Commerce of Oceans and Atmosphere, to develop regulations establishing procedures for natural resource trustees to use in the assessment of damages for injury to, destruction of, loss of, or loss of use of natural resources covered by OPA. The National Oceanic and Atmospheric Administration (NOAA) published the final natural resource damage assessment regulations on January 5, 1996 (61 FR 440). A major goal of OPA is to make the environment and public whole for injury to natural resources and their services as a result of an incident. The OPA regulations provide a framework for conducting sound natural resource damage assessments that achieve this OPA goal. Under the regulations, assessments are conducted in the open, with responsible parties and the public involved in the planning process so that restoration may be achieved more quickly, transaction costs may decrease, and litigation may be avoided. Restoration plans developed with input from the public and responsible parties form the basis of a claim for natural resource damages, with final restoration plans presented to responsible parties for funding or implementation.

NOAA also has developed guidance documents as part of, and in support of, the rulemaking effort. Five guidance documents were made available in draft form when the OPA regulations were first proposed January 7, 1994 (59 FR 1061). These guidance documents are

now available in final form. The guidance documents are:

*Natural Resource Damage Assessment Guidance Document: Preassessment Phase (Oil Pollution Act of 1990).* National Oceanic and Atmospheric Administration, Damage Assessment and Restoration Program, Silver Spring, MD. Interested parties may obtain a copy of this document from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161; PB96-199419; ph: (703) 487-4650.

*Natural Resource Damage Assessment Guidance Document: Injury Assessment (Oil Pollution Act of 1990).* National Oceanic and Atmospheric Administration, Damage Assessment and Restoration Program, Silver Spring, MD. Interested parties may obtain a copy of this document from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161; PB96-199427; ph: (703) 487-4650.

*Natural Resource Damage Assessment Guidance Document: Specifications for Use of NRDAM/CME Version 2.4 to Generate Compensation Formula (Oil Pollution Act of 1990).* National Oceanic and Atmospheric Administration, Damage Assessment and Restoration Program, Silver Spring, MD. Interested parties may obtain a copy of this document from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161; PB96-199435; ph: (703) 487-4650.

*Natural Resource Damage Assessment Guidance Document: Primary Restoration (Oil Pollution Act of 1990).* National Oceanic and Atmospheric Administration, Damage Assessment and Restoration Program, Silver Spring, MD. Interested parties may obtain a copy of this document from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161; PB96-199443; ph: (703) 487-4650.

*Natural Resource Damage Assessment Guidance Document: Restoration Planning (Oil Pollution Act of 1990).* National Oceanic and Atmospheric Administration, Damage Assessment and Restoration Program, Silver Spring MD. Interested parties may obtain a copy of this document from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161; PB96-199450; ph: (703) 487-4650.

Although the guidance documents were prepared primarily to provide guidance to natural resource trustees using the OPA regulations, other interested persons may also find the information contained in these documents useful.

*Injury Assessment:* The purpose of the Injury Assessment Guidance Document is to provide trustees with general approaches for identifying and evaluating injuries to natural resources resulting from incidents. This document provides guidance on conducting injury assessment studies based upon careful consideration of preassessment information and the need to restore

natural resources and compensate for interim lost services. This document does not direct the user in the selection of specific procedures, but describes a logical, flexible, and cost-effective approach that can accommodate varied circumstances of incidents under OPA.

*Preassessment Phase:* The purpose of the Preassessment Phase Guidance Document is to provide trustees with general guidance for early assessment activities required under the Preassessment Phase of the OPA regulations. The Preassessment Phase is a preliminary fact-finding exercise that provides the information to determine if trustees have the jurisdiction to pursue restoration under OPA, and, if so, whether it is appropriate to do so. The information gained through preassessment activities should serve as the foundation for a more detailed assessment of injuries to natural resources and services.

*Primary Restoration:* The purpose of the Primary Restoration Guidance Document is to provide trustees with a review of the state of the art for restoration of certain habitats and biological natural resources and an evaluation of potential restoration actions following injury to natural resources resulting from incidents. This document focuses on the procedures that may be used to restore or replace natural resources injured as a result of an oil incident. The guidance in this document is meant to summarize existing information and methods so that informed decisions can be made in the restoration planning and implementation process.

*Restoration Planning:* The purpose of the Restoration Planning Guidance Document is to provide trustees with general guidance for developing restoration plans under OPA that comply with the National Environmental Policy Act (NEPA) procedural requirements. Federal agencies who must comply with the requirements of NEPA are encouraged to integrate those requirements with the restoration planning procedures required by OPA. Therefore, the focus of this document is to more fully describe the processes and products required for restoration planning under the OPA regulations and how the NEPA requirements can be integrated into the OPA process.

*Specifications for Use of NRDAM/CME Version 2.4 to Generate Compensation Formulas:* The purpose of the Specifications for Use of NRDAM/CME Version 2.4 to Generate Compensation Formulas document is to provide trustees with guidance and data to use with the Natural Resource

Damage Assessment Model for Coastal and Marine Environments (NRDAM/CME), Version 2.4, developed by the Department of the Interior. Using the NRDAM/CME Version 2.4 and the information contained in this document, trustees will have a simplified, cost-effective tool to use in estimating expected impacts of most incidents involving oil. This information also can be used to evaluate the possible development of a simplified method, such as a compensation formula, that could be developed through the use of the NRDAM/CME Version 2.4.

NOAA plans to have these documents available on the Internet at <http://www.darcnw.noaa.gov/opa.htm> and on CD-ROM by the end of the calendar year. NOAA would appreciate any suggestion on how these documents could be made more practical and useful in the future. Persons wishing to make any suggestions are referred to the address at the front of this Notice.

Dated: November 7, 1996.

Terry D. Garcia,  
General Counsel.

[FR Doc. 96-29047 Filed 11-12-96; 8:45 am]

BILLING CODE 3510-12-M

## DEPARTMENT OF DEFENSE

### Department of the Army

#### 32 CFR Part 644

##### Real Estate Handbook

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Corps of Engineers has rescinded Subpart E—Homeowners Assistance Program. The Homeowners Assistance Program has undergone substantial revision in the last few years since the enactment of Appendix E, Defense Authorization Amendments and Base Closure and Realignment Act of 1988 (Public Law 100-526). As published, subpart E bears no resemblance to the internal Engineer Regulation (ER) 405-1-12, Chapter 7. It is anticipated that ER 405-1-12 will continue to be revised as needed to better serve the interests of applicants under the program. Copies of ER 405-1-12 may be obtained by contacting any Corps of Engineers District office having responsibility for the Homeowners Assistance Program.

**EFFECTIVE DATES:** November 13, 1996.

**ADDRESSES:** HQUSACE, ATTN: CERE-RP, Washington, DC 20314-1000.

**FOR FURTHER INFORMATION CONTACT:** Mr. John F. Downey at (202) 761-8987.

**SUPPLEMENTARY INFORMATION:** Pursuant to its authorities in section 1013 of Public Law 89-754, as amended and DoD Directive 4165.50, The Corps removes and reserves 32 CFR, Part 644, Subpart E.

#### Economic Assessment and Certification

This deletion is issued with respect to the administration of the Homeowners Assistance Program. There will be no negative impacts on potential applicants to the Homeowners Assistance Program and no impacts on small businesses or governments in the areas of the approved programs.

I hereby certify the deletion of this subpart will have no significant impact on a substantial number of small entities.

#### List of Subjects in 32 CFR Part 644

Administrative practice and procedure, Government employees, and Military personnel.

Accordingly, part 644 of title 32 Code of Federal Regulations is amended as set forth below:

#### **PART 644—[AMENDED]**

1. The authority citation for part 644 continues to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. 3012, unless otherwise noted.

#### **Subpart E—[Removed and Reserved]**

2. Subpart E, consisting of §§ 644.181 through 644.242, is removed and reserved.

Gregory D. Showalter,

*Army Federal Register Liaison Officer.*

[FR Doc. 96-28990 Filed 11-12-96; 8:45 am]

BILLING CODE 3710-92-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 079-3-002; FRL-5640-2]

#### **Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is finalizing the approval of revisions to the California State Implementation Plan (SIP) proposed in the Federal Register on October 31, 1995. The revisions concern new source review (NSR) rules from the Mojave Desert Air Quality Management District

(MDAQMD or the District). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate air pollution in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The rules control emissions of air pollutants from new and modified stationary sources. Thus, EPA is finalizing the approval of these rules into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

**EFFECTIVE DATE:** This action is effective on December 13, 1996.

**ADDRESSES:** Copies of the submitted rules and EPA's evaluation report are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are available for inspection at the following locations:

New Source Section (A-5-1), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, SW., Washington, DC 20460.

Mojave Desert AQMD, 15428 Civic Drive, suite 200, Victorville, CA 92932.

Air Resources Board, 2020 L Street, Sacramento, CA 95814.

**FOR FURTHER INFORMATION CONTACT:**

Steve Ringer, Permits Office, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1260.

**SUPPLEMENTARY INFORMATION:**

#### Background

On October 31, 1995 at 60 FR 55355, EPA proposed to approve MDAQMD rules 1301-1308, and 1310-1312 into the California SIP, contingent upon the District's adoption (and submittal as a SIP revision) of corrections to a number of deficiencies in the rules. On March 25, 1996, MDAQMD adopted the following rules as the corrections required in the October 1995 proposed approval: MDAQMD Rule 1300, General; MDAQMD Rule 1301, Definitions; MDAQMD Rule 1302, Procedure; MDAQMD Rule 1303, Requirements; MDAQMD Rule 1304, Emissions Calculations; MDAQMD Rule 1305, Emission Offsets; MDAQMD Rule 1306, Electric Energy Generating Facilities. On March 25, 1996,