

accordance with paragraph (c)(2) of this section or are installed remotely from the cargo compartment.

(c) An airplane with a maximum certificated passenger seating capacity of more than 60 persons or a maximum certificated takeoff gross weight of over 100,000 pounds (45,359 Kilograms) must comply with the following:

(1) *Least risk bomb location.* An airplane must be designed with a designated location where a bomb or other explosive device could be placed to best protect flight-critical structures and systems from damage in the case of detonation.

(2) *Survivability of systems.*

(i) Except where impracticable, redundant airplane systems necessary for continued safe flight and landing must be physically separated, at a minimum, by an amount equal to a sphere of diameter

$$D = 2\sqrt{(H_0/\pi)}$$

(where  $H_0$  is defined under § 25.365(e)(2) of this part and  $D$  need not exceed 5.05 feet (1.54 meters)). The sphere is applied everywhere within the fuselage—limited by the forward bulkhead and the aft bulkhead of the passenger cabin and cargo compartment beyond which only one-half the sphere is applied.

(ii) Where compliance with paragraph (c)(2)(i) of this section is impracticable, other design precautions must be taken to maximize the survivability of those systems.

(3) *Interior design to facilitate searches.* Design features must be incorporated that will deter concealment or promote discovery of weapons, explosives, or other objects from a simple inspection in the following areas of the airplane cabin:

(i) Areas above the overhead bins must be designed to prevent objects from being hidden from view in a simple search from the aisle. Designs that prevent concealment of objects with volumes 20 cubic inches and greater satisfy this requirement.

(ii) Toilets must be designed to prevent the passage of solid objects greater than 2.0 inches in diameter.

(iii) Life preservers or their storage locations must be designed so that tampering is evident.

(d) *Exceptions.* Airplanes used solely to transport cargo only need to meet the requirements of paragraphs (b)(1), (b)(3), and (c)(2) of this section.

(e) *Material Incorporated by Reference.* You must use National Institute of Justice (NIJ) Standard 0101.04, Ballistic Resistance of Personal

Body Armor, June 2001, Revision A, to establish ballistic resistance as required by paragraph (b)(3) of this section.

(1) The Director of the Federal Register approved the incorporation by reference of this document under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You may review copies of NIJ Standard 0101.04 at the:

(i) FAA Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055;

(ii) National Institute of Justice (NIJ), <http://www.ojp.usdoj.gov/nij>, telephone (202) 307-2942; or

(iii) National Archives and Records Administration (NARA). For information on the availability of this material at NARA go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html) or call (202) 741-6030.

(3) You may obtain copies of NIJ Standard 0101.04 from the National Criminal Justice Reference Service, P.O. Box 6000, Rockville, MD 20849-6000, telephone (800) 851-3420.

#### **PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS**

■ 3. The authority citation for part 121 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 40119, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 44901, 44903-44904, 44912, 46105.

■ 4. Add § 121.295 to read as follows:

#### **§ 121.295 Location for a suspect device.**

After November 28, 2009, all airplanes with a maximum certificated passenger seating capacity of more than 60 persons must have a location where a suspected explosive or incendiary device found in flight can be placed to minimize the risk to the airplane.

Issued in Washington, DC on October 17, 2008.

**Robert A. Sturgell,**

*Acting Administrator.*

[FR Doc. E8-25476 Filed 10-27-08; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 91**

[Docket No. FAA-2006-25250; Amdt. No. 91-303]

**RIN 2120-AI63**

#### **Special Awareness Training for the Washington, DC Metropolitan Area; OMB Approval of Information Collection**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; Notice of Office of Management and Budget approval for information collection.

**SUMMARY:** This notice announces the Office of Management and Budget's (OMB's) approval of the information collection requirement contained in the FAA's final rule, "Special Awareness Training for the Washington, DC Metropolitan Area," which was published on August 12, 2008.

**DATES:** The FAA received OMB approval for the information collection requirements in § 91.161 on October 2, 2008. The rule will become effective on February 9, 2009.

**FOR FURTHER INFORMATION CONTACT:** John D. Lynch, Certification and General Aviation Operations Branch, AFS-810, General Aviation and Commercial Division, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3844.

**SUPPLEMENTARY INFORMATION:** On August 12, 2008, the FAA published the final rule, "Special Awareness Training for the Washington, DC Metropolitan Area" (73 FR 46797). The rule requires "special awareness" training for any pilot who flies under visual flight rules (VFR) within a 60-nautical-mile (NM) radius of the Washington, DC VHF omni-directional range/distance measuring equipment (DCA VOR/DME). The rule contains information collection requirements that had not yet been approved by the Office of Management and Budget at the time of publication. In the **DATES** section of the rule, the FAA noted that affected parties did not need to comply with the information collection requirements until OMB approved the FAA's request to collect the information.

In accordance with the Paperwork Reduction Act, OMB approved that request on October 2, 2008, and assigned the information collection OMB Control Number 2120-0734. The FAA request was approved by OMB

without change and expires on October 31, 2011. This notice is being published to inform affected parties of the approval and to announce that the information collection requirements of § 91.161 will become effective when the final rule becomes effective on February 9, 2009.

Issued in Washington, DC, on October 22, 2008.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. E8-25608 Filed 10-27-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 95

[Docket No. 30635; Amdt. No. 477]

#### IFR Altitudes; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**DATES:** *Effective Date:* 0901 UTC, November 20, 2008.

**FOR FURTHER INFORMATION CONTACT:** Donald P. Pate, Flight Procedure

Standards Branch (ANCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

#### The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and

contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

#### Conclusion

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. 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. For the same reason, the FAA certifies that this amendment 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 95 Airspace, Navigation (air).

Issued in Washington, DC on October 20, 2008.

**James J. Ballough,**

*Director, Flight Standards Service.*

#### Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, November 20, 2008.

■ 1. The authority citation for part 95 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

■ 2. Part 95 is amended to read as follows:

#### REVISIONS TO IFR ALTITUDES AND CHANGEOVER POINTS

[Amendment 477 effective date November 20, 2008]

From	To	MEA	MAA
§ 95.4000 High Altitude RNAV Routes			
§ 95.4276 RNAV Route T276 Is Added To Read			
COUGA, WA FIX .....	CARBY, WA FIX .....	6500	17500
From	To	MEA	
§ 95.6001 VICTOR AIRWAY V2 Is Amended To Read in Part			
LANSING, MI VORTAC .....	SALEM, MI VORTAC .....	#*5000	