

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class E airspace at Roanoke, VA, allowing for the vectoring altitude to be lowered and to encompass a 20 mile radius of the Roanoke Regional/Woodrum Field Airport to accord with the revision of FAA Order 8260.64, *Criteria and Guidance for Radar Operations* for the establishment of MVAs. This Class E airspace modification allows the FAA to facilitate a better operation for intercepting the glide slopes and enhance the visual approach operation at Roanoke Regional/Woodrum Field Airport. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the Earth are published in Paragraph 6005 of FAA Order 7400.9R, signed August 15, 2007, and effective September 15, 2007, 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 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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies Class E airspace at Roanoke, VA.

**List of Subjects in 14 CFR Part 71**

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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 will continue 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 Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, effective September 15, 2007, 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 Roanoke, VA [Revised]**

Roanoke Regional/Woodrum Field Airport (Lat. 37°19'32" N., long. 79°58'32" W.)

That airspace extending upward from 700 feet above the surface of the Earth within a 15-mile radius of Roanoke Regional/Woodrum Field Airport beginning at the 036° bearing from the airport, thence clockwise until the 128° bearing, thence, within a 20-mile radius from the 128° bearing clockwise until the 273° bearing, thence direct to the point of beginning.

\* \* \* \* \*

Issued in College Park, Georgia, on October 8, 2008.

**Barry A. Knight,**

*Acting Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. E8–25057 Filed 10–21–08; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**DEPARTMENT OF THE INTERIOR**

**15 CFR Part 303**

[Docket No. 080716841–81292–02]

RIN 0625–AA80

**Changes in the Insular Possessions Watch, Watch Movement and Jewelry Programs 2008**

**AGENCIES:** Import Administration, International Trade Administration, Department of Commerce; Office of Insular Affairs, Department of the Interior.

**ACTION:** Final rule.

**SUMMARY:** The Departments of Commerce and the Interior (the Departments) amend their regulations governing watch duty–exemption allocations and watch and jewelry duty–refund benefits for producers in the United States insular possessions (the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands). The rule amends the regulations by updating the formula that is used to calculate the combined amount of individual and family health and life insurance per year that is creditable towards the duty refund benefit.

**DATES:** This rule is effective November 21, 2008.

**ADDRESSES:** Address written comments to Faye Robinson, Director, Statutory Import Programs Staff, Room 2104, U.S. Department of Commerce, 14th and Constitution Ave., N.W., Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Faye Robinson, (202) 482–3526, same address as above.

**SUPPLEMENTARY INFORMATION:** The Departments issue this rule to amend their regulations governing watch duty–exemption allocations and watch and jewelry duty–refund benefits for producers in the United States insular possessions (the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands). The background information and purpose of this rule is found in the preamble to the proposed rule (73 FR 49371, August 21, 2008) and is not repeated here.

**Amendments**

The Departments amend §303.2(a)(13)(ii), §303.2(a)(13)(ii)(A),

§303.2(a)(14)(ii), §303.2(a)(14)(ii)(A), §303.16(a)(9)(ii), §303.16(a)(9)(ii)(A), §303.16(a)(10)(ii), and §303.2(a)(10)(ii)(A) by increasing the percentage used to calculate the combined amount of individual and family health and life insurance per year that is creditable towards the duty refund benefit for watch and jewelry producers. Under the rule, the combined creditable amount of individual health and life insurance per year may not exceed 130 percent of the “weighted average” yearly individual federal employee health insurance, and the combined creditable amount of family health and life insurance per year may not exceed 150 percent of the “weighted average” yearly family federal employee health insurance.

The Departments received no comments in response to the proposed rule and request for comments. As a result, the Departments are adopting the proposed regulations without change.

#### Administrative Law Requirements

Regulatory Flexibility Act. In accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, the Chief Counsel for Regulation at the Department of Commerce certified to the Chief Counsel for Advocacy, Small Business Administration, at the proposed rule stage, that this rule would not have a significant economic impact on a substantial number of small entities. The factual basis for this certification was published in the proposed rule and is not repeated here. No comments were received on the certification or on the economic effects of the rule more generally.

Paperwork Reduction Act. This rulemaking does not contain revised collection of information requirements subject to review and approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995. Collection activities are currently approved by the Office of Management and Budget under control numbers 0625–0040 and 0625–0134.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information unless it displays a currently valid OMB control number.

E.O. 12866. It has been determined that this rulemaking is not significant for purposes of Executive Order 12866.

#### List of Subjects in 15 CFR Part 303

Administrative practice and procedure, American Samoa, Customs duties and inspection, Guam, Imports, Marketing quotas, Northern Mariana

Islands, Reporting and record keeping requirements, Virgin Islands, Watches and jewelry.

■ For reasons set forth above, the Departments amend 15 CFR Part 303 as follows:

#### PART 303—WATCHES, WATCH MOVEMENTS AND JEWELRY PROGRAMS

■ 1. The authority citation for 15 CFR Part 303 continues to read as follows:

**Authority:** Pub. L. 97–446, 96 Stat. 2331 (19 U.S.C. 1202, note); Pub. L. 103–465, 108 Stat. 4991; Pub. L. 94–241, 90 Stat. 263 (48 U.S.C. 1681, note); Pub. L. 106–36, 113 Stat. 167; Pub. L. 108–429, 118 Stat. 2582.

#### § 303.2 [Amended]

■ 2. Section 303.2 is amended as follows:

■ A. Remove “100” from the first sentence in paragraph (a)(13)(ii) introductory text and add “130” in its place.

■ B. Remove “120” from the first sentence in paragraph (a)(13)(ii)(A) and add “150” in its place.

■ C. Remove “100” from the first sentence in paragraph (a)(14)(ii) introductory text and add “130” in its place.

■ D. Remove “120” from the first sentence in paragraph (a)(14)(ii)(A) and add “150” in its place.

#### § 303.16 [Amended]

■ 3. Section 303.16 is amended as follows:

■ A. Remove “100” from the first sentence in paragraph (a)(9)(ii) introductory text and add “130” in its place.

■ B. Remove “120” from the first sentence in paragraph (a)(9)(ii)(A) and add “150” in its place.

■ C. Remove “100” from the first sentence in paragraph (a)(10)(ii) introductory text and add “130” in its place.

■ D. Remove “120” from the first sentence in paragraph (a)(10)(ii)(A) and add “150” in its place.

Dated: October 16, 2008.

**David Spooner,**

*Assistant Secretary for Import Administration, Department of Commerce.*

Dated: October 16, 2008.

**Joseph McDermott,**

*Acting Director, Office of Insular Affairs, Department of the Interior.*

[FR Doc. E8–25167 Filed 10–21–08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 385

[Docket No. RM08–8–000; Order No. 718]

#### Ex Parte Contacts and Separation of Functions

Issued October 16, 2008.

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.

**ACTION:** Final rule.

**SUMMARY:** The Commission is revising its regulations to clarify its rules governing ex parte contacts and separation of functions as they apply to proceedings arising out of investigations initiated under Part 1b of the Commission’s regulations. The revisions specify when Commission litigation staff and persons outside the Commission may contact decisional employees once the Commission has established proceedings on matters that had been investigated under Part 1b. The Commission also is revising its regulations governing intervention to clarify that intervention is not permitted as a matter of right in proceedings arising from Part 1b investigations.

**DATES:** *Effective Date:* This rule will become effective November 21, 2008.

**FOR FURTHER INFORMATION CONTACT:** Wilbur Miller, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–8953, [wilbur.miller@ferc.gov](mailto:wilbur.miller@ferc.gov).

#### SUPPLEMENTARY INFORMATION:

1. On May 15, 2008, the Commission issued a Notice of Proposed Rulemaking (NOPR)<sup>1</sup> proposing to revise its regulations governing *ex parte* contacts and interventions in the context of investigations under Part 1b of its regulations.<sup>2</sup> Specifically, the NOPR proposed to revise the Commission’s regulations governing *ex parte* contacts and separation of functions to clarify the circumstances in which Commission litigation staff and outside persons may contact Commissioners and decisional staff while an investigation is pending. The NOPR further proposed to clarify the Commission’s regulations governing intervention to provide that intervention is not available as of right in a proceeding arising from an investigation under Part 1b.

<sup>1</sup> *Ex Parte Contacts and Separation of Functions*, 73 FR 29451 (May 15, 2008), FERC Stats. & Regs. ¶ 32,634 (2008).

<sup>2</sup> 18 CFR part 1b.