

**DEPARTMENT OF AGRICULTURE****Rural Housing Service****7 CFR Part 1980**

[FR Doc. E8-25849]

RIN 0575-AC73

**Income Limit Modification**

**AGENCY:** Rural Housing Service, USDA.  
**ACTION:** Direct final rule; change in effective date.

**SUMMARY:** The Rural Housing Service is delaying the effective date of a direct final rule, which was published on November 4, 2008 to amend its existing income limit structure for the Single Family Housing Guaranteed Loan Program.

**DATES:** The effective date of the direct final rule, published on November 4, 2008 [73 FR 65503-05], is delayed from January 20, 2009, to March 20, 2009.

**FOR FURTHER INFORMATION CONTACT:** Joaquín Tremols, Acting Director, Single Family Housing Guaranteed Loan Division, USDA, Rural Development, 1400 Independence Avenue, SW., Room 2250, Stop 0784, Washington, DC 20250, telephone (202) 720-1465, E-mail: [joaquin.tremols@wdc.usda.gov](mailto:joaquin.tremols@wdc.usda.gov).

**SUPPLEMENTARY INFORMATION:** After further consultations with Congress and to afford the new administration adequate time for review, RHS is changing the effective date of the direct final rule to March 20, 2009.

Dated: January 8, 2009.

**Peter D. Morgan,**

*Associate Administrator, Rural Housing Service.*

[FR Doc. E9-694 Filed 1-13-09; 8:45 am]

**BILLING CODE 3410-XV-P**

**NUCLEAR REGULATORY COMMISSION****10 CFR Part 150**

[NRC-2007-0002]

RIN 3150-AH85

**Regulatory Improvements to the Nuclear Materials Management and Safeguards System; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is correcting a final rule that appeared in the **Federal**

**Register** on June 9, 2008 (73 FR 32453). The final rule amended NRC's regulations related to licensee reporting requirements for source material and special nuclear material to the Nuclear Materials Management and Safeguards System. This document is necessary to correct an erroneous amendatory instruction.

**DATES:** The correction is effective January 14, 2009, and is applicable to January 1, 2009.

**ADDRESSES:** You can access publicly available documents related to this document using the following methods:

*Federal e-Rulemaking Portal:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2007-0002. Address questions about NRC dockets to Carol Gallagher 301-415-5905; e-mail

[Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

*NRC's Public Document Room (PDR):* The public may examine and have copied for a fee publicly available documents at the NRC's PDR, Public File Area O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

*NRC's Agencywide Documents Access and Management System (ADAMS):* Publicly available documents created or received at the NRC are available electronically at the NRC's electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Michael T. Lesar, Chief, Rulemaking, Directives, and Editing Branch, Office of Administration, Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone 301-492-3663, e-mail [Michael.Lesar@nrc.gov](mailto:Michael.Lesar@nrc.gov).

**SUPPLEMENTARY INFORMATION:** This document corrects an erroneous amendatory instruction.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, the NRC is adopting the following amendment to 10 CFR Part 150.

**List of Subjects in 10 CFR Part 150**

Criminal penalties, Hazardous materials transportation, Intergovernmental relations, Nuclear

materials, Reporting and recordkeeping requirements, Security measures, Source material, Special nuclear material.

**PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES AND IN OFFSHORE WATERS UNDER SECTION 274**

■ 1. The authority citation for Part 150 continues to read as follows:

**Authority:** Sec. 161, 68 Stat. 948, as amended, sec. 274, 73 Stat. 688 (42 U.S.C. 2201, 2021); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Public Law 109-58, 119 Stat. 594 (2005).

Sections 150.3, 150.15, 150.15a, 150.31, 150.32 also issued under secs. 11e(2), 81, 68 Stat. 923, 935, as amended, secs. 83, 84, 92 Stat. 3033, 3039 (42 U.S.C. 2014e(2), 2111, 2113, 2114). Section 150.14 also issued under sec. 53, 68 Stat. 930, as amended (42 U.S.C. 2073).

Section 150.15 also issued under secs. 135, 141, Public Law 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 150.17a also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 150.30 also issued under sec. 234, 83 Stat. 444 (42 U.S.C. 2282).

■ 2. On page 32464, in the third column, instruction 18 is corrected to read as follows:

18. In § 150.8, paragraph (c)(1) is revised, paragraph (c)(2) is redesignated as a new paragraph (c)(4), and a new paragraph (c)(2) is added to read as follows:

\* \* \* \* \*

Dated at Rockville, Maryland, this 8th day of January 2009.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. E9-586 Filed 1-13-09; 8:45 am]

**BILLING CODE 7590-01-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2008-0997; Airspace Docket No. 08-AAL-28]

**Amendment of Class D and E Airspace; Bethel, AK**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class D and E airspace at Bethel, AK to provide

to address magnetic variation changes with the Navigation Aids at the Bethel Airport. This action amends Class D and E airspace upward from the surface, and from 700 feet (ft.) and 1,200 ft. above the surface at Bethel Airport, Bethel, AK.

**DATES:** *Effective Date:* 0901 UTC, March 12, 2009. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, AAL-538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/fs/alaskan/rulemaking/](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/fs/alaskan/rulemaking/).

**SUPPLEMENTARY INFORMATION:**

**History**

On Tuesday October 28, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR) part 71 to amend Class D and E airspace upward from the surface, and from 700 ft. and 1,200 ft. above the surface at Bethel, AK (73 FR 63910). The Bethel Airport and its Navigation Aids will be soon undergoing a magnetic variation change. This change will result in the necessity to amend the airspace descriptions. There will be no visible change to the airspace currently depicted on aeronautical charts. Additionally, the present 1,200 foot airspace description is no longer necessary, because Bethel, Alaska lies within a larger section of Class E5 airspace, called Yukon-Kuskokwim Delta, covering the area required for the airport. The Class E4 description has been slightly modified to address small bearing and radial errors listed in the Notice of Proposed Rulemaking. Class D and E controlled airspace extending upward from the surface, and from 700 ft. and 1,200 ft. above the surface in the Bethel Airport area is amended by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class D airspace area designations are published in paragraph 5000 of FAA

Order 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as surface areas are published in paragraph 6002 and 6004 in FAA Order 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to 14 CFR part 71 amends Class D and E airspace at the Bethel Airport, Alaska. This Class D and E airspace is amended to accommodate aircraft executing instrument procedures, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the Bethel Airport, Bethel, Alaska.

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 will 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 1, 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 1, Section 40103, Sovereignty and use of airspace.

Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it amends Class D and E airspace to contain aircraft executing instrument procedures for the Bethel Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

**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 14 CFR 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 Federal Aviation Administration Order 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

*Paragraph 5000 General.*

\* \* \* \* \*

**AAL AK D Bethel, AK [Amended]**

Bethel, Bethel Airport, AK  
(Lat. 60°46’47” N., long. 161°50’17” W.)  
Bethel VORTAC  
(Lat. 60°47’05” N., long. 161°49’28” W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.1-mile radius of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL between the 058° radial and the 078° radial of the Bethel VORTAC, AK, from 2.9 miles northeast of the Bethel VORTAC, AK. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

**AAL AK E2 Bethel, AK [Amended]**

Bethel, Bethel Airport, AK  
(Lat. 60°46’47” N., long. 161°50’17” W.)

**Bethel VORTAC**

(Lat. 60°47'05" N., long. 161°49'28" W.)

Within a 4.1-mile radius of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL between the 058° radial and the 078° radial of the Bethel VORTAC, AK, from 2.9 miles northeast of the Bethel VORTAC, AK. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area.*

\* \* \* \* \*

**AAL AK E4 Bethel, AK [Amended]**

Bethel, Bethel Airport, AK

(Lat. 60°46'47" N., long. 161°50'17" W.)

**Bethel VORTAC**

(Lat. 60°47'05" N., long. 161°49'28" W.)

That airspace extending upward from the surface within 3 miles each side of the 019° radial of the Bethel VORTAC, AK, extending from the 4.1-mile radius of the Bethel Airport, AK, to 8.2 miles northeast of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL between the 058° radial and the 078° radial of the Bethel VORTAC, AK, from 2.9 miles northeast of the Bethel VORTAC, AK, and within 3.4 miles each side of the 005° radial of the Bethel VORTAC, AK, extending from the 4.1-mile radius of the Bethel Airport, AK, to 11 miles north of the Bethel VORTAC, AK, and within 3.5 miles each side of the 210° radial of the Bethel VORTAC, AK, extending from the 4.1-mile radius of the Bethel Airport, AK, to 5 miles southwest of the Bethel Airport, AK.

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Extending Upward from 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**AAL AK E5 Bethel, AK [Amended]**

Bethel, Bethel Airport, AK

(Lat. 60°46'47" N., long. 161°50'17" W.)

**Bethel Localizer**

(Lat. 60°46'06" N., long. 161°50'47" W.)

That airspace extending upward from 700 feet above the surface within a 16.8-mile radius of the Bethel Airport, AK, and within 8 miles west and 4 miles east of the Bethel Localizer front course extending from the 16.8-mile radius of the Bethel Airport, AK, to 22.8 miles north of the Bethel Airport, AK, and within 8 miles east and 4 miles west of the Bethel Localizer back course extending from the 16.8-mile radius of the Bethel Airport, AK, to 21.4 miles south of the Bethel Airport, AK.

\* \* \* \* \*

Issued in Anchorage, AK, on December 29, 2008.

**Anthony M. Wylie,**

*Manager, Alaska Flight Services Information Area Group.*

[FR Doc. E9-518 Filed 1-13-09; 8:45 am]

**BILLING CODE 4910-13-P****DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

**[Docket No. FAA-2008-1046; Airspace Docket No. 08-ASW-21]**

**Amendment of Class E Airspace; Houston, TX**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace at Houston, TX. Additional controlled airspace is necessary to accommodate Area Navigation (RNAV) Standard Instrument Approach Procedures (SIAP) at Lone Star Executive Airport, Conroe, TX. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at Lone Star Executive Airport.

**DATES:** *Effective Date:* 0901 UTC, March 12, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Ft. Worth, TX 76193-0530; telephone (817) 222-5582.

**SUPPLEMENTARY INFORMATION:****History**

On November 17, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace at Houston, TX, adding additional controlled airspace at Lone Star Executive Airport, Conroe, TX (73 FR 67823, Docket No. FAA-2008-1046). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9S signed October 3, 2008, and effective October 31, 2008, which is incorporated by

reference in 14 CFRp 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by amending Class E airspace at Houston, TX, adding additional controlled airspace at Lone Star Executive Airport, Conroe, TX. This rule also updates the geographic coordinates of Chambers County Airport, and changes Sholes Field to Sholes International at Galveston, TX.

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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, 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 adds additional controlled airspace in the Houston, TX airspace area, at Lone Star Executive Airport, Conroe, TX.

**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: