

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. 04-036-2]

#### Pine Shoot Beetle; Additions to Quarantined Areas

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the pine shoot beetle regulations by adding Decatur, Jennings, and Ripley Counties, IN, and Franklin County, NY, to the list of quarantined areas. As a result of that action, the interstate movement of regulated articles from those areas is restricted. The interim rule was necessary to prevent the spread of pine shoot beetle, a pest of pine products, into noninfested areas of the United States.

**EFFECTIVE DATE:** The interim rule became effective on June 7, 2004.

**FOR FURTHER INFORMATION CONTACT:** Dr. Weyman Fussell, Program Manager, Pest Detection and Management Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1231; (301) 734-5705.

#### SUPPLEMENTARY INFORMATION:

##### Background

In an interim rule effective and published in the **Federal Register** on June 7, 2004 (69 FR 31723-31725, Docket No. 04-036-1), we amended the pine shoot beetle regulations contained in 7 CFR 301.50 through 301.50-10 by adding Decatur, Jennings, and Ripley Counties, IN, and Franklin County, NY, to the list of quarantined areas in § 301.50-3. That action was necessary to

prevent the spread of pine shoot beetle into noninfested areas of the United States.

Comments on the interim rule were required to be received on or before August 6, 2004. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

#### PART 301—DOMESTIC QUARANTINE NOTICES

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 69 FR 31723-31725 on June 7, 2004.

**Authority:** 7 U.S.C. 7701-7772; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75-15 also issued under Sec. 204, Title II, Pub. L. 106-113, 113 Stat. 1501A-293; sections 301.75-15 and 301.75-16 also issued under Sec. 203, Title II, Pub. L. 106-224, 114 Stat. 400 (7 U.S.C. 1421 note).

Done in Washington, DC, this 26th day of August 2004.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 04-19930 Filed 8-31-04; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 21

[Docket No. FAA-2001-11133; Amendment No. 21-85]

RIN 2120-AH19

#### Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting an inadvertent error to a final regulation published in the **Federal Register** of Tuesday, July 27, 2004 (69 FR 44772). The regulation related to the certification of aircraft and airmen for the operation of light-sport aircraft. The correction is to the section concerning experimental certificates.

**DATES:** The regulation is effective September 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** Susan Gardner, Flight Standards Service, General Aviation and Commercial Division (AFS-800), Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; telephone 907-271-2034, or 202-267-8212.

**SUPPLEMENTARY INFORMATION:** In the preamble to FAA's final rule "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft," the agency stated that it reissued exemptions from 14 CFR part 103 to the Experimental Aircraft Association (EAA), the United States Ultralight Organization (USUA) and Aero Sports Connection (ASC) to permit flight training in ultralight vehicles. These exemptions will expire on January 31, 2008. As stated in the preamble to the final rule, this date coincides with the date established to transition existing ultralight training vehicles and single- and two-place ultralight-like aircraft to the provisions of the final rule.

This document changes a date that was incorrectly provided in the preamble discussion and rule text of paragraph (i)(1) of § 21.191 Experimental certificates. This change is being made to make the rule consistent with the January 31, 2008 date. The changes are as follows: