

proceeding by submitting written comments on the proposal to the FAA on or before February 16, 2001. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas designations for airspace extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9H, dated September 1, 2000 and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be amended in the order.

### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) provides controlled Class E airspace extending upward from 700 feet above the surface for aircraft conducting IFR operations at the Finger Lakes Regional Airport, Seneca Falls, NY.

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 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 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—[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.

### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H, Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

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

\* \* \* \* \*

#### AEA NY E5 Seneca Falls, NY [NEW]

Finger Lakes Regional Airport  
(Lat. 42°52'38.58" N/long. 76° 46'54" W)

That airspace extending upward from 700 feet above the surface within a 6 mile radius of Finger Lakes Regional Airport.

Issued in Jamaica, New York on March 12, 2001.

**F.D. Hatfield,**

*Manager, Air Traffic Division, Eastern Region.*  
[FR Doc. 01–7421 Filed 4–12–01; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 00–AEA–03FR]

#### Establishment of Class E Airspace: Salisbury, MD

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Salisbury, MD Airport necessitated by the opening of a new Air Traffic Control Tower (ATCT) at the airport. Controlled airspace extending upward from Above Ground Level (AGL) is needed to accommodate instrument flight rules (IFR) operations when the ATCT is closed.

**EFFECTIVE DATE:** 0901 UTC May 17, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA–520, Air Traffic Division, Eastern Region, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434–4809, telephone: (718) 553–4521.

**SUPPLEMENTARY INFORMATION:**

#### History

On January 12, 2001, a document proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing Class E airspace extending upward from the surface at Salisbury-Ocean City, Wicomico County

Regional Airport, Salisbury, MD was published in the **Federal Register** (66 FR 2850). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83, Class E airspace designated as surface areas are published in paragraph 6002 of FAA Order 7400.9H, dated September 1, 2000 and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be amended in the order.

### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) provides controlled Class E airspace extending upward from the surface for aircraft conducting IFR operations at Salisbury-Ocean City, Wicomico Regional Airport.

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 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 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—[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.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H, Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

*Paragraph 6002 Class E airspace designated as surface areas.*

\* \* \* \* \*

**AEA MD E2 Salisbury, MD [REVISED]**

Salisbury-Ocean City, Wicomico County Regional Airport  
(Lat 38°20.43' N/long. 75°30.62' W)

That airspace extending upward from the surface within a 4.1 mile radius of the Salisbury-Wicomico County Airport and within 3.1 miles each side of the Salisbury VORTAC 209° radial extending from the 4.1 mile radius to 9.2 miles southwest of the VORTAC and within 3.1 miles each side of the Salisbury VORTAC 052° radial extending from the 4.1 mile radius to 8.3 miles northeast of the VORTAC and within 1 mile each side of the Salisbury-Wicomico County Airport localizer northwest course extending from the 4.1 mile radius to 4.8 miles northwest of the localizer and within 3.1 miles each side of the Salisbury VORTAC 132° radial extending from the 4.1 mile radius to 9.2 miles southeast of the VORTAC. This Class E airspace area is effective during those times when the Class D airspace is not in effect.

\* \* \* \* \*

Issued in Jamaica, New York on March 12, 2001.

**F.D. Hatfield,**

*Manager, Air Traffic Division, Eastern Region.*  
[FR Doc. 01-7419 Filed 4-12-01; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF THE TREASURY****Bureau of Alcohol, Tobacco and Firearms****27 CFR Part 13**

[T.D. ATF-449]

RIN 1512-AC21

**Labeling Proceedings; Delegation of Authority**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

**ACTION:** Treasury decision, final rule.

**SUMMARY:** Authority delegation. This final rule places all ATF authorities contained in regulations on "Labeling Proceedings" with the "appropriate ATF officer" and requires that persons file documents required by those regulations with the "appropriate ATF officer" or in accordance with the

instructions on the ATF form. This final rule removes the definitions of, and references to, specific ATF officers subordinate to the Director. Concurrently with this Treasury Decision, ATF Order 1130.21 is being published. Through this order, the Director has delegated the authorities in those regulations to the appropriate ATF officers and specified the ATF officers with whom appeals and other documents are filed.

**EFFECTIVE DATE:** April 13, 2001.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, (202-927-9347) or e-mail at [alctob@atfhq.atf.treas.gov](mailto:alctob@atfhq.atf.treas.gov).

**SUPPLEMENTARY INFORMATION:****Background**

Pursuant to Treasury Order 120-01 (formerly 221), dated June 6, 1972, the Secretary of the Treasury delegated to the Director of the Bureau of Alcohol, Tobacco and Firearms (ATF), the authority to enforce, among other laws, the provisions of the Federal Alcohol Administration Act (FAA). The Director has subsequently redelegated certain of these authorities to appropriate subordinate officers by way of various means, including by regulation, ATF delegation orders, regional directives or similar delegation documents. ATF has determined that this multiplicity of delegation instruments complicates and hinders the task of determining which ATF officer is authorized to perform a particular function.

ATF has decided that all delegations of the Director's authorities will be compiled in ATF Delegation Orders. Each part or related parts of title 27 Code of Federal Regulations (CFR) will have its own corresponding order in which all authorities of the Director are delegated. Using a delegation order for this purpose eliminates the necessity of rewriting the regulations each time there is a change in authority or a change to the title of an ATF officer. This action both simplifies the process for determining what ATF officer is authorized to perform a particular function and facilitates the updating of delegations in the future.

ATF has begun making these changes to all other parts of 27 CFR through separate rulemakings. By amending the regulations part by part, rather than in one large rulemaking document and ATF delegation order, ATF minimizes the time expended in notifying interested parties of current delegations of authority.

Accordingly, this final rule rescinds all authorities of the Director in part 13 that were previously delegated. All references to specific ATF officers, other than the Director, have been removed and replaced with the words "appropriate ATF officer." Along with this final rule, ATF is publishing ATF Order 1130.21, Delegation Order—Delegation of the Director's Authorities in Part 13—Labeling Proceedings. This Order lists the specific ATF officers with whom appeals and other documents are to be filed.

In addition, this final rule also eliminates all references in the regulations that identify the ATF officer with whom an ATF form is filed. This is because ATF forms will indicate the officer with whom they must be filed. Similarly, this final rule also amends part 13 to provide that submission of documents other than ATF forms (such as letterhead applications, notices and reports) must be filed with the "appropriate ATF officer" identified in ATF Order 1130.21. These changes will facilitate the identification of the officer with whom forms and other required submissions are filed.

This final rule amends Subpart A—Scope and Construction of Regulations, and Subpart C—Applications of 27 CFR part 13. Specifically, two new sections, § 13.2 and § 13.20, are added. Section 13.2 is added to recognize the authorities in part 13 and to identify ATF Order 1130.21 as the instrument reflecting such delegations. Section 13.20 is added to indicate who is authorized to prescribe the forms required by this part and how to access those forms, and to provide that the instructions for an ATF form identify the ATF officer with whom it must be filed.

This final rule also makes a typographical amendment correcting the reference to § 13.45 to read § 13.44 in § 13.72(b).

**Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no new or revised recordkeeping or reporting requirements.

**Regulatory Flexibility Act**

Because no notice of proposed rulemaking is required for this rule under the Administrative Procedures Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule to the Chief Counsel for