

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.

#### 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 is amending 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 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 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

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

\* \* \* \* \*

#### **ASO KY E5 Jamestown, KY [NEW]**

Russell County Airport, KY  
(lat. 37°00'32" N, long. 85°06'10" W)

That airspace extending upward from 700 feet above the surface within a 6.5-radius of Russell County Airport.

\* \* \* \* \*

Issued in College Park, Georgia, on March 11, 2004.

**Jeffrey U. Vincent,**

*Acting Manager, Air Traffic Division,  
Southern Region.*

[FR Doc. 04–6453 Filed 3–22–04; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2003–16622; Airspace Docket No. 03–ASO–21]

#### **Amendment of Class E Airspace; Lexington, TN**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E5 airspace at Lexington, TN. As a result of an evaluation, it has been determined a modification should be made to the Lexington, TN Class E5 airspace area to contain the VHF Omnidirectional Range (VOR) or Global Positioning Systems (GPS) Runway 33, Standard Instrument Approach Procedure (SIAP) to Franklin Wilkins Airport. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain the SIAP.

**EFFECTIVE DATE:** 0901 UTC, June 10, 2004.

**FOR FURTHER INFORMATION CONTACT:** Walter R. Cochran, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5586.

#### **SUPPLEMENTARY INFORMATION:**

##### **History**

On January 15, 2004, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by amending Class E5 airspace at Lexington, TN, (69 FR 2312). This action provides adequate Class E5 for IFR operations at Lexington, TN, Franklin Wilkins Airport, Designations for Class E are published in FAA Order 7400.9L, dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The Class E designations listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

##### **The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends Class E5 airspace at Lexington, TN.

The FAA has determined that this rule 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, when promulgated, 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 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 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 74300.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

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

\* \* \* \* \*

#### **ASO TN E5 Lexington, TN [Revised]**

Lexington, Franklin Wilkins Airport, TN  
(Lat. 35°39'05" N, long. 88°22'44" W)

Jacks Creek VORTAC

(Lat. 35°35'56" N, long. 88°21'32" W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Franklin Wilkins Airport, and within 8 miles east and 4 miles west of the Jacks Creek VORTAC 166° radial extending from the 6.6-mile radius to 16 miles southeast of the VORTAC.

\* \* \* \* \*

Issued in College Park, Georgia, on February 26, 2004.

**Jeffrey U. Vincent,**

*Acting Manager, Air Traffic Division, Southern Region.*

[FR Doc. 04-6047 Filed 3-22-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 121

[Docket No. FAA-2002-11301; Notice No. 04-05]

#### Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities

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

**ACTION:** Policy statement.

**SUMMARY:** Until July 29, 2004, the FAA will continue to recognize the antidrug plan number for certain repair stations. This policy applies to any repair station that is conducting testing under the FAA's drug and alcohol regulations but does not hold an Antidrug and Alcohol Misuse Prevention Program Operations Specification. Because of administrative issues, the FAA has not been able to issue this Operations Specification to some repair stations before the February 11, 2004, implementation date set by the FAA.

**DATES:** This policy is effective from February 11, 2004, to July 29, 2004.

**FOR FURTHER INFORMATION CONTACT:** Diane J. Wood, Manager, AAM-800, Drug Abatement Division, Office of Aerospace Medicine, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, Telephone (202) 267-8442.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

You can get an electronic copy of this document using the Internet by:

(1) Searching the Department of Transportation's electronic Docket Management System (DMS) web page (<http://dms.dot.gov/search>); or

(2) Visiting the Office of Rulemaking's web page at <http://www.faa.gov/avr/arm/index.cfm>; or

(3) Accessing the Government Printing Office's web page at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html).

You can also get a copy by submitting a request to the Federal Aviation Administration, Office of Rulemaking,

ARM-1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the Notice number or docket number of this proceeding.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

#### Background

On January 12, 2004, the FAA issued a final rule entitled, "Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities" (69 FR 1840). This final rule amended 14 CFR part 121, appendices I and J, the "Drug Testing Program" and the "Alcohol Misuse Prevention Program" regulations. In the final rule, the FAA required an Antidrug and Alcohol Misuse Prevention Program Operations Specification (OpSpec) for all part 121 and 135 certificate holders and any part 145 repair station opting to conduct drug and alcohol testing under the FAA's regulations. The final rule was effective February 11, 2004.

For administrative reasons, the FAA has not been able to issue the Antidrug and Alcohol Misuse Prevention Program OpSpec to some part 145 repair stations by the effective date of the final rule. However, we will complete issuance of this OpSpec to the remaining part 145 repair stations no later than July 29, 2004.

#### Discussion

Some existing part 145 repair stations that already have an FAA antidrug plan number have been told by their Principal Maintenance Inspectors (PMIs) that the FAA could not issue an Antidrug and Alcohol Misuse Prevention Program OpSpec by February 11, 2004. The FAA was not able to issue some Antidrug and Alcohol Misuse Prevention Program OpSpecs in a timely manner. Therefore, the FAA will continue to recognize the antidrug plan numbers of part 145 repair stations that are conducting testing under 14 CFR part 121, appendices I and J, until their PMIs can issue them the Antidrug and Alcohol Misuse Prevention Program OpSpec. This policy does not extend the effective date of the final rule. Instead, it merely recognizes that some part 145 repair stations have tried to obtain the

Antidrug and Alcohol Misuse Prevention Program OpSpec but were unable to do so because of administrative issues within the FAA.

#### Conclusion

Until July 29, 2004, the FAA will continue to recognize the antidrug plan number for certain part 145 repair stations. This policy applies to any repair station that is conducting testing under 14 CFR part 121, appendices I and J, but that has not yet been able to obtain the Antidrug and Alcohol Misuse Prevention Program OpSpec from its PMI. Employers regulated by 14 CFR part 121, appendices I and J should similarly continue to recognize the antidrug plan number for any such part 145 repair station.

Issued in Washington, DC, on March 18, 2004.

**Jon L. Jordan,**

*Federal Air Surgeon.*

[FR Doc. 04-6456 Filed 3-22-04; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 312 and 314

#### Change of Address; Technical Amendment

**AGENCY:** Food and Drug Administration, HHS.

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

**SUMMARY:** The Food and Drug Administration (FDA) is amending its regulations to reflect a change in the address for the Center for Drug Evaluation and Research's (CDER) Central Document Room. This action is editorial in nature and is intended to provide accuracy and clarity to the agency's regulations.

**EFFECTIVE DATE:** March 23, 2004

**FOR FURTHER INFORMATION CONTACT:** Cathie L. Schumaker, Center for Drug Evaluation and Research (HFD-143), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-7755.

**SUPPLEMENTARY INFORMATION:** FDA is amending its regulations in parts 312 and 314 (21 CFR parts 312 and 314) to reflect a change in the address for CDER's Central Document Room. Under FDA regulations, applicants must submit to this location information related to marketing applications.

Publication of this document constitutes final action on these changes