

each report of inspection, together with laboratory worksheets covering retention by assay and preservative analyses for the purchaser, and on request shall furnish a copy or transcript of any of these reports to the Chairman, Technical Standards Committee "A", Electric Staff Division, USDA Rural Development Utilities Programs, Washington, DC 20250-1569.

(j) *Charge numbers on re-treat poles.* The letter "R" shall be added to the original charge number in the butts of all poles that are re-treated for insufficient penetration or retention of preservative.

All poles that fail to meet treatment requirements after two re-treatments shall be permanently rejected.

(k) *Safety provisions.* Poles intended for agency borrowers shall not be inspected when, in the opinion of the inspector, unsafe conditions are present.

**Appendix A to § 1728.202—Inspector's Qualifications**

Inspection agencies should see that inspectors assigned to the inspection of timber products and treatment for borrowers are competent and experienced.

In general, any of the following examples are considered as minimum qualifying

experience before a new inspector may be permitted to inspect timber products for borrowers:

(a) Three years' experience as an inspector of timber and the preservative treatment of timber; or

(b) Three years' experience in timber treating plant quality control work; or

(c) Under the direct, on site, supervision of an experienced, well-qualified inspector, the prospective inspector shall have performed the following:

(1) Inspected at least 10,000 poles and/or crossarms "in the white."

(2) Checked preservative penetration results on at least 10,000 poles and crossarms;

(3) Made at least 100 wood assays for preservative retention;

(4) Made at least 25 analyses of each type of preservative used on material the person is assigned to inspect; and

(5) Certified competent by the XRF instrument manufacturer.

(d) In both (a) and (b) of this Appendix A, the experience should be not less than that required in (c).

(e) Inspectors experienced in the inspections of one product, such as poles, should not be qualified to inspect another product, such as crossarms, until the above experience is gained for each respective product.

(f) The inspector should be especially well informed in wood preservation and the

operation of a timber treating plant, and be competent in preservative analysis and other laboratory work.

(g) In all cases, an inspector should be thoroughly instructed in the application of the specifications and the standards pertaining thereto before being permitted to independently inspect timber products and the treatments applied to them. Knowledge of these specifications and standards, as well as the inspector's proficiency, may be checked routinely by members of the agency staff.

\* \* \* \* \*

**PART 1755—TELECOMMUNICATIONS STANDARDS AND SPECIFICATIONS FOR MATERIALS, EQUIPMENT AND CONSTRUCTION**

4. The authority citation continues to read as follows:

**Authority:** 7 U.S.C. 901 *et seq.*, 1921 *et seq.*, 6941 *et seq.*

5. Section 1755.97 is amended in the table by revising the entry for Bulletin 1728F-700 to read as follows:

**§ 1755.97 Incorporation by reference of telephone standards and specifications.**

\* \* \* \* \*

Bulletin No.	Specification No.	Date last issued	Title of standard or specification
* * * * *	* * * * *	* * * * *	* * * * *
1728F-700		[Effective date of final rule] .....	Specification for Wood Poles, Stubs and Anchor Logs.

Dated: September 8, 2008.

**James M. Andrew,**

*Administrator, Rural Utilities Service.*

[FR Doc. E8-21798 Filed 9-26-08; 8:45 am]

BILLING CODE 3410-15-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2008-0757; Airspace Docket No. 08-ASW-13]

**Proposed Amendment of Class E Airspace; Big Spring, TX**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to amend Class E airspace at Big Spring McMahon Wrinkle Airport, Big Spring, TX. Additional controlled airspace is necessary to accommodate changes to the VOR/DME RWY 17 Standard Instrument Approach Procedure (SIAP)

at Big Spring McMahon-Wrinkle Airport, Big Spring, TX. The FAA is taking this action to enhance the safety and management of Instrument Flight Rules (IFR) aircraft operations at Big Spring McMahon-Wrinkle Airport.

**DATES:** Comments must be received on or before November 13, 2008.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2008-0757/Airspace Docket No. 08-AS-W-13, at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527), is on the ground floor of the building at the above address.

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

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those

comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2008-0757/Airspace Docket No. 08-ASW-13." The postcard will be date/time stamped and returned to the commenter.

#### Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by amending the Class E airspace area for IFR operations at Big Spring McMahon-Wrinkle Airport, Big Spring, TX. Changes to the VOR/DME RWY 17 SIAP have made this action necessary. The area would be depicted on appropriate aeronautical charts.

Class E airspace areas are published in Paragraph 6000 of FAA Order 7400.9R, dated 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 would be published subsequently in the Order.

The FAA has determined that this proposed 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, 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 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 would amend controlled airspace at Big Spring McMahon-Wrinkle Airport, Big Spring, TX.

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

Airspace, Incorporation by reference, Navigation (Air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND 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 7400.9R, Airspace Designations and Reporting Points, dated August 15, 2007, and effective September 15, 2007, is amended as follows:

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

\* \* \* \* \*

##### ASW TX E5 Big Spring, TX [Amended]

Big Spring McMahon-Wrinkle Airport, TX (Lat. 32°12'45" N., long. 101°31'18" W.)

Big Spring VORTAC

(Lat. 32°23'08" N., long. 101°29'01" W.)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Big Spring McMahon-Wrinkle Airport and within 8 miles east and 4 miles

west of the 190° radial of the Big Spring VORTAC extending from the 6.9-mile radius to 21.9 miles south of the airport and within 3.9 miles each side of the 191° radial of the Big Spring VORTAC extending from the 6.9-mile radius to 10.3 miles north of the airport.

\* \* \* \* \*

Issued in Fort Worth, TX, on August 28, 2008.

**Roger M. Trevino,**

*Acting Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E8-22448 Filed 9-26-08; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 314

[Docket No. FDA-2008-N-0341]

#### Applications for Food and Drug Administration Approval to Market a New Drug; Postmarketing Reports; Reporting Information About Authorized Generic Drugs; Companion Document to Direct Final Rule

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

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA) is publishing this companion proposed rule to the direct final rule, published elsewhere in this issue of the *Federal Register*, which is intended to amend our regulations to require that the holder of a new drug application (NDA) submit certain information in an annual report regarding authorized generic drugs. We are taking this action as part of our implementation of the Food and Drug Administration Amendments Act of 2007 (FDAAA). FDAAA requires that FDA publish a list of all authorized generic drugs included in an annual report since 1999, and that the agency update the list quarterly.

**DATES:** Submit written or electronic comments on the proposed rule by December 15, 2008. If FDA receives any significant adverse comments, the agency will publish a document withdrawing the direct final rule within 30 days after the comment period ends. FDA will then proceed to respond to comments under this proposed rule using the usual notice and comment procedures. Submit comments on information collection issues under the Paperwork Reduction Act of 1995 by October 29, 2008 (see the "Paperwork Reduction Act of 1995" section of this document).