Administrator and to make a technical correction to reflect a change in position title.

EFFECTIVE DATE: August 21, 1995.

FOR FURTHER INFORMATION CONTACT: G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, D.C. 20537, Telephone (202) 307–7297.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act (CSA) (21 U.S.C. 801 *et seq.*) establishes a comprehensive system of controls over the manufacture, distribution, dispensing, importation and exportation of controlled substances and listed chemicals. The CSA requires that persons who manufacture, distribute, dispense, import or export controlled substances or certain listed chemicals obtain a registration from DEA and make certain records and reports concerning their activities with controlled substances and listed chemicals. On June 22, 1995, DEA published a Final Rule to implement the Domestic Chemical Diversion Control Act of 1993 in the **Federal Register**. In part, the final rule amended Chapter II of Title 21, Code of Federal Regulations, to add a new Part 1309, relating to the registration of manufacturers, distributors, importers and exporters of List I chemicals. The amendment becomes effective on August 21, 1995.

The Attorney General has delegated her functions under the CSA to the Administrator of the Drug Enforcement Administration and authorized the Administrator to redelegate any of his functions to any of his subordinates. See 21 U.S.C. 871(a), 28 CFR 0.100(b) and 28 CFR 0.104. To further enhance the administration of the CSA and its attendant regulations, the Administrator is redelegating to the Deputy Assistant Administrator of the DEA Office of Diversion Control the authority to exercise all necessary functions with respect to the promulgation and implementation of the regulations in Part 1309 of Chapter II, title 21, Code of Federal Regulations incident to the registration of manufacturers, distributors, importers and exporters of List I chemicals, except that final orders in connection with suspension, denial or revocation of registration shall be made by the Deputy Administrator of DEA.

In a separate matter, Section 9 of the Appendix to Subpart R is being amended to redelegate the authority to furnish, or cause to be furnished, descriptions of persons with whom regulated transactions may not be completed without prior approval of the DEA; to approve such transactions pursuant to 21 U.S.C. 830(b) and 21 CFR 1310.05(b); and to approve or disapprove regular customer or regular importer status under 21 U.S.C. 971 and 21 CFR 1313.15 and 1313.24 to the Chief of Operations of the DEA, Operations Division. This redelegation reflects a recent organizational change within DEA. Prior to the reorganization, the Deputy Assistant Administrator, Office of Diversion Control reported to the Deputy Assistant Administrator of Operations, Operations Division; the Deputy Assistant Administrator, Office of Diversion now reports to the Chief of Operations of the DEA, Operations Division. The redelegation also reflects the removal of regular supplier status and addition of regular importer status to the regulations by the Domestic Chemical Diversion Control Act of 1993.

The Administrator certifies that this action will have no impact upon entities whose interests must be considered under the Regulatory Flexibility Act (5 U.S.C. 601). Pursuant to Executive Order 12866, this is not a significant regulatory action since it relates only to the organization of functions within DEA. Accordingly, it has not been reviewed by the Office of Management and Budget and does not require certification under Executive Order 12778. This action has been analyzed in accordance with Executive Order 12616. It has been determined that this matter has no federalism implications which would require preparation of a federalism assessment.

List of Subjects in 28 CFR Part 0

Authority Delegations (Government Agencies), Organizations and functions (Government Agencies).

For the reasons set forth above, and pursuant to the authority vested in the Administrator of the Drug Enforcement Administration by 28 CFR 0.100 and 0.104, and 21 U.S.C. 871, title 28 of the Code of Federal Regulations, part 0, appendix to subpart R, Redelegation of Functions, is amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

1. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301: 28 U.S.C. 509, 510, 515–519.

2. The Appendix to subpart R is amended by redesignating paragraphs 7(h) through 7(k) as 7(i) through 7(l), inserting a new paragraph 7(h), and revising Section 9 to read as follows:

Appendix to Subpart R—Redelegation of Functions

* * * * *

Sec. 7. * * *

(h) Part 1309, incident to the registration of manufacturers, distributors, importers and exporters of List I chemicals, except that final orders in connection with suspension, denial or revocation of registration shall be made by the Deputy Administrator of DEA.

* * * * *

Sec. 9. *Chemical Diversion Act Functions.* The Chief of Operations of the DEA, Operations Division, is authorized to furnish, or cause to be furnished, descriptions of persons with whom regulated transactions may not be completed without prior approval of the DEA; to approve such transactions pursuant to 21 U.S.C. 830(b) and 21 CFR 1310.05(b); and to approve or disapprove regular customer or regular importer status under 21 U.S.C. 971 and 21 CFR 1313.15 and 1313.24.

* * * * *

Dated: August 24, 1995.

Thomas A. Constantine,

Administrator.

[FR Doc. 95–21932 Filed 9–1–95; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 92

Military Whistle Protection; Removal of Part

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This document removes the Department of Defense's rule concerning the Military Whistleblower Protection. The part has served the purpose for which it was intended for the Code of Federal Regulations, and is no longer necessary.

EFFECTIVE DATE: September 5, 1995.

FOR FURTHER INFORMATION CONTACT: L. Bynum or P. Toppings, 703–697–4111.

SUPPLEMENTARY INFORMATION: At the present time, there are two(2) documents codified as 32 CFR part 92. The Military Whistleblower Protection document should be removed. DoD Directive 7050.6, same title, is presently available from the National Technical Information Service. The most current version, August 12, 1995, will be available from NTIS at a later date. Requests for the Directive should be forwarded to: National Technical

Information Service, 5285 Port Royal Road, Springfield, VA 22161. On August 19, 1994, 59 FR 42752, the Department of Defense published 32 CFR part 92. However, on August 8, 1995, 60 FR 40277, DoD duplicated the use of part 92 before they removed the original part 92. Part 92 published at 60 FR 40277 remains unchanged and should not be connected in any manner with the document to be removed.

List of Subjects in 32 CFR Part 92

Administrative practice and procedure; Investigations; Military personnel; Whistleblowing

PART 92—[REMOVED]

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR part 92 published at 59 FR 42752, is removed.

Dated: August 29, 1995.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95–21840 Filed 9–1–95; 8:45 am]

BILLING CODE 5000–04–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NC–071–1–6960a; FRL–5269–5]

Approval and Promulgation of Implementation Plans North Carolina: Approval of Revisions to the North Carolina State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On October 14, 1994, the State of North Carolina, through the North Carolina Department of Environment, Health and Natural Resources, submitted a revision to the North Carolina State Implementation Plan (SIP). This revision is the adoption of an amendment to rule 15A NCAC 2D .0518 Miscellaneous Volatile Organic Compounds Emissions. This amendment was included to define that diacetone alcohol is considered to be a nonphotochemically reactive solvent. This rule is applicable to all sources of VOC emissions for which no other VOC emission standards are applicable.

DATES: This final rule is effective November 6, 1995 unless notice is received by October 5, 1995 that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Written comments should be addressed to: Randy Terry, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365.

Copies of the material submitted by the NCDEHNR may be examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365.

North Carolina Department of Environment, Health and Natural Resources, 512 North Salisbury Street, Raleigh, North Carolina 27604.

FOR FURTHER INFORMATION CONTACT: Randy Terry, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347–3555 extension 4212.

SUPPLEMENTARY INFORMATION: On October 14, 1994, the State of North Carolina, through the North Carolina Department of Environment, Health and Natural Resources, submitted a revision covering the adoption of an amendment to rule 15A NCAC 2D .0518 Miscellaneous Volatile Organic Compound Emissions. This amendment was included to define that diacetone alcohol is considered to be a nonphotochemically reactive solvent. This rule is applicable to all sources of VOC emissions for which no other VOC emission standards are applicable. This revision was the subject of public hearings held on March 28 and 30, 1994. EPA is approving the amendment of rule 15A NCAC 2D .0518 because this revision is consistent with the requirements of the Clean Air Act and EPA guidance.

Final Action

EPA is approving the above referenced revision to the North Carolina SIP. This action is being taken without prior proposal because the EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective November 6, 1995 unless, by October 5, 1995 adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective November 6, 1995.

Under Section 307(b)(1) of the CAA, 42 U.S.C. 7607(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 6, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See Section 307(b)(2) of the Act, 42 U.S.C. 7607 (b)(2)).

The OMB has exempted these actions from review under Executive Order 12866.

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under 110 and subchapter I, part D of the CAA do not create any new requirements, but simply approve requirements that the