FMP, provided the vessel complies with paragraphs (c) through (f) of this section.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 5

Delegations of Authority and Organization; Center for Veterinary Medicine

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the regulations for delegations of authority to reflect a new delegation that authorizes the Director and Deputy Director, Center for Veterinary Medicine (CVM), to sign certain **Federal Register** documents related to the implementation of the Animal Medicinal Drug Use Clarification Act of 1994 (the AMDUCA), as amended hereinafter. This authority will enable the agency to issue **Federal Register** documents related to implementation of the AMDUCA more efficiently.

EFFECTIVE DATE: August 14, 1997.

FOR FURTHER INFORMATION CONTACT:

Richard L. Arkin, Office of Policy and Regulations (HFV–6), Center for Veterinary Medicine, Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855–2773, 301–594–1737, or

Donna G. Page, Division of Management Systems and Policy (HFA–340), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4816.

SUPPLEMENTARY INFORMATION: The regulations are being amended in subpart B of part 5 (21 CFR part 5) by adding a new § 5.40 *Issuance of Federal Register documents pertaining to the determination of safe levels, notice of need for development of an analytical method, notice of availability of a developed analytical method, and prohibition of certain extralabel drug use* to reflect a new delegation that authorizes the Director and Deputy Director, CVM, to sign certain **Federal Register** documents related to the implementation of the AMDUCA (Pub. L. 103–396), as amended hereinafter. This delegation will permit the efficient implementation of the AMDUCA which was signed into law on October 22, 1994.

This authority may be further redelegated by the Director and Deputy Director, CVM. Authority delegated to a position by title may be exercised by a person officially designated to serve in such a position in an acting capacity or on a temporary basis.

List of Subjects in 21 CFR Part 5

Authority delegations (Government agencies), Imports, Organization and functions (Government agencies).

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 5 is amended as follows:

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. The authority citation for 21 CFR part 5 continues to read as follows:

Authority: 5 U.S.C. 504, 552, App. 2; 7 U.S.C. 138a, 2271; 15 U.S.C. 638, 1261–1282, 3701–3711a; secs. 2–12 of the Fair Packaging and Labeling Act (15 U.S.C. 1451–1461); 21 U.S.C. 41–50, 61–63, 141–149, 467f, 679(b), 801–886, 1031–1309; secs. 201–903 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321–394); 35 U.S.C. 156; secs. 301, 302, 303, 307, 310, 311, 351, 352, 361, 362, 1701–1706, 2101 of the Public Health Service Act (42 U.S.C. 241, 242, 242a, 242l, 242n, 243, 262, 263, 264, 265, 300u–300u–5, 300aa–1); 42 U.S.C. 1395y, 3246b, 4332, 4831(a), 10007–10008; E.O. 11490, 11921, and 12591.

2. New § 5.40 is added to subpart B to read as follows:

§ 5.40 Issuance of Federal Register documents pertaining to the determination of safe levels, notice of need for development of an analytical method, notice of availability of a developed analytical method, and prohibition of certain extralabel drug use.

The Director and Deputy Director, Center for Veterinary Medicine (CVM) are authorized to issue **Federal Register** documents pertaining to the determination of safe levels, notice of need for development of an analytical method, notice of availability of a developed analytical method, and prohibition of certain extralabel drug use related to implementation of the Animal Medicinal Drug Use Clarification Act of 1994 (the AMDUCA) (Pub. L. 103–396). This authority may be further redelegated by the Director and Deputy Director, CVM.

Dated: August 8, 1997.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 97–21585 Filed 8–13–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A–1–FRL–5874–8]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Removal of Final Rule Pertaining to the Determination of Attainment of Ozone Standard and Determination Regarding Applicability of Certain Requirements in the Richmond Area [VA–076–5022]

AGENCY: Environmental Protection Agency (EPA).

ACTION: Removal of direct final rule.

SUMMARY: On June 13, 1997, EPA published determination that the Richmond ozone nonattainment area has attained the National Ambient Air Quality Standard (NAAQS) for ozone, and that Richmond has continued to attain the standard to date. On the basis of this determination, EPA determined that certain reasonable further progress and attainment demonstration requirements, along with certain other related requirements, of part D of Title I of the Clean Air Act are not applicable to this area as long as this area continues to attain the ozone NAAQS. See 62 FR 32204.

EPA approved this direct final rulemaking without prior proposal because the Agency viewed it as a noncontroversial amendment and anticipated no adverse comments. The final rule was published in the **Federal Register** with a provision for a 30-day comment period (62 FR 32204, June 13, 1997). At the same time, EPA announced that this final rule would convert to a proposed rule in the event that adverse comments were submitted to EPA within 30 days of publication of the rule in the **Federal Register** (62 FR 32258, June 13, 1997). The final rulemaking action would be withdrawn by publishing a notice announcing withdrawal of this action.

Notice of intent to adversely comment was submitted to EPA within the prescribed comment period. Therefore, EPA is amending 40 CFR 52.2428 by removing the June 13, 1997 final rulemaking action. All public comments received will be addressed in a subsequent rulemaking action based on the proposed rule.

EFFECTIVE DATE: August 14, 1997.

FOR FURTHER INFORMATION CONTACT: Christopher Cripps, Ozone/Carbon Monoxide and Mobile Sources Section (3AT21), U.S. Environmental Protection Agency—Region III, 841 Chestnut Building, Philadelphia, Pennsylvania