

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

§ 73.29 [Amended]

■ 2. Section 73.29 is amended as follows:

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R–2938 Horseshoe Beach, FL (Revoked)

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Issued in Washington, DC, on April 1, 2004.

Reginald C. Matthews,

Manager, Airspace and Rules.

[FR Doc. 04–7959 Filed 4–7–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 135**

[Docket No. FAA–2004–17119]

Manual Requirements in Part 135; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction; technical amendment.

SUMMARY: This document makes corrections to the final regulations published in the **Federal Register** on March 19, 1997, (62 FR 13257). The regulations are related to what information is required to be included in a certificate holder's manual under part 135.

DATES: Effective upon publication.

FOR FURTHER INFORMATION CONTACT: John Chescavage; 202–267–9783; john.chescavage@faa.gov

SUPPLEMENTARY INFORMATION:**Background**

The most recent edition of Title 14 of the Code of Federal Regulations (14 CFR) published in 2003 included an error that, when corrected, produced another error that now needs to be corrected. The original error was that we listed § 135.423 as the section number for two different sections that should have had separate section numbers. These two sections were supposed to be numbered 135.423 and 135.424. In 2003, we corrected this error by changing the section numbers so that the following headings went with the appropriate number:

- § 135.423 Aging airplane inspections and records reviews for multiengine airplanes certificated with nine or fewer passenger seats (Eff. Dec. 8, 2003)
- § 135.424 Maintenance, preventive maintenance, and alteration organization

In February 2004, it was brought to our attention that there was a reference to § 135.423 in the regulations found in § 135.427(a). The reference to § 135.423 was accurate before we corrected the two similar section numbers, but since the numbers have been corrected, the reference is now wrong. The reference in § 135.427(a) is meant to point the reader to the section on “Maintenance, preventive maintenance, and alteration organization,” which is now § 135.424.

Need for Correction

As published, the final regulations in § 135.427(a) are misleading and send the reader to the wrong section when referring to what is required in their manual. The incorrect section number referenced in § 135.427(a) does not direct the reader to the right information and could result in the reader not meeting the requirements of the section. This reference needs to be corrected so that the reader is directed to the correct section and provided with the correct information necessary to meet the requirements for a certificate holder's manual.

List of Subjects in 14 CFR Part 135

Air taxis, Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Drug testing, Reporting and recordkeeping requirements.

■ Accordingly, 14 CFR part 135 is corrected by making the following correcting amendment:

PART 135—OPERATING REQUIREMENTS: COMMUTER AND ON DEMAND OPERATIONS AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

■ 1. The authority citation for 14 CFR part 135 continues to read as follows:

Authority: 49 U.S.C. 106(g), 41706, 44113, 44101, 44701–44702, 44705, 44709, 44711–44713, 44715–44717, 44722.

■ 2. Revise paragraph (a) of section 135.427 to read as follows:

§ 135.427 Manual Requirements.

(a) Each certificate holder shall put in its manual the chart or description of the certificate holder's organization required by § 135.424 and a list of persons with whom it has arranged for the performance of any of its required inspections, other maintenance, preventive maintenance, or alterations, including a general description of that work.

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Issued in Washington, DC on April 2, 2004.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 04–7960 Filed 4–7–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 807****Medical Device Reports; Reports of Corrections and Removals; Establishment Registration and Device Listing; Premarket Approval Supplements; Quality System Regulation; Importation of Electronic Products; Technical Amendment; Correction**

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of March 10, 2004 (69 FR 11310). That document corrected some inadvertent typographical errors and some technical errors. That document published with an inadvertent error. This document corrects that error.

EFFECTIVE DATE: April 8, 2004.

FOR FURTHER INFORMATION CONTACT: Joyce A. Strong, Office of Policy and Planning (HF–27), Food and Drug

Administration, Piccard Dr., Rockville, MD 20857, 301-827-7010.

SUPPLEMENTARY INFORMATION: In FR Doc. 04-5302, appearing on page 11310 in the **Federal Register** of Wednesday, March 10, 2004, the following correction is made:

§ 807.22 [Corrected]

On page 11311, in the third column, in part 807, amendatory instruction no. 6 is corrected to read as follows:

■ “6. Section 807.22 is amended by revising paragraphs (a) and (b) to read as follows:

§ 807.22 How and where to register establishments and list devices.

(a) The first registration of a device establishment shall be on Form FDA-2801 (Initial Registration of Device Establishment). Forms are available upon request from the Office of Compliance, Center for Devices and Radiological Health (HFZ-308), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850-4015, or from Food and Drug Administration district offices. Subsequent annual registration shall be accomplished on Form FDA-2891a (Annual Registration of Device Establishment), which will be furnished by FDA to establishments whose registration for that year was validated under § 807.35(a). The forms will be mailed to the owner or operators of all establishments via the official correspondent in accordance with the schedule as described in § 807.21(a). The completed form shall be mailed to the address designated in this paragraph 30 days after receipt from FDA.

(b) The initial listing of devices and subsequent June and December updatings shall be on form FDA-2892 (Medical Device Listing). Forms are obtainable upon request as described in paragraph (a) of this section. A separate form FDA-2892 shall be submitted for each device or device class listed with the Food and Drug Administration. Devices having variations in physical characteristics such as size, package, shape, color, or composition should be considered to be one device: *Provided*, The variation does not change the function or intended use of the device. In lieu of form FDA-2892, tapes for computer input or hard copy computer output may be submitted if equivalent in all elements of information as specified in form FDA-2892. All formats proposed for use in lieu of form FDA-2892 require initial review and approval by the Food and Drug Administration.”

Dated: April 2, 2004.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. 04-8022 Filed 4-7-04; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD07-04-035]

Drawbridge Operation Regulations; Jensen Beach (SR 707) Bridge, Atlantic Intracoastal Waterway Mile 981.4, Stuart, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Seventh Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Jensen Beach (SR 707a) (Frank A. Wacha) Bridge across the Atlantic Intracoastal Waterway, mile 981.4, Stuart, Florida. This deviation allows the bridge to operate only a single-leaf opening with a double-leaf opening available with a three-hour notice to the bridge tender during certain times of the day.

DATES: This deviation is effective from 8 a.m. on March 31 until 5 p.m. on April 30, 2004.

ADDRESSES: Material received from the public, as well as documents indicated in this preamble as being available in the docket [CGD07-04-035] will become part of this docket and will be available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Miami, Florida 33131-3050 between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Lieberum, Project Officer, Seventh Coast Guard District, Bridge Branch at (305) 415-6744.

SUPPLEMENTARY INFORMATION: The Jensen Beach (SR 707a) (Frank A. Wacha) Bridge across the Atlantic Intracoastal Waterway, mile 981.4, Stuart, Florida, is a double-leaf bascule bridge with a vertical clearance of 24 feet above mean high water (MHW) measured at the fenders in the closed position with a horizontal clearance of 90 feet. The current operating regulation in 33 CFR 117.261(o) requires that the draw shall open on signal; except that from December 1 through May 1, from

7 a.m. to 6 p.m., Monday through Friday, except Federal holidays, the draw need open only on the hour and half-hour.

On February 4, 2004, the bridge owner, Florida Department of Transportation, requested a deviation from the current operating regulations to allow the owner and operator to only open a single-leaf of this bridge from 7 a.m. to 6 p.m. daily, Monday through Friday, March 23 through April 30, 2004, with a double-leaf opening available with a three hour notice to the bridge tender. This deviation is necessary to protect workers' safety during the construction of the new fender system. The Commander, Seventh Coast Guard District, has granted a temporary deviation from the operating requirements listed in 33 CFR 117.261(o) to complete repairs to the bridge fender system. Under this deviation, the Jensen Beach (SR 707) Bridge, Atlantic Intracoastal Waterway mile 981.4, Stuart, Florida, shall only open a single-leaf of this bridge from 7 a.m. to 6 p.m. daily, Monday through Friday, March 31 through April 30, 2004, with a double-leaf opening available with a three hour notice to the bridge tender.

Dated: March 29, 2004.

Greg Shapley,

Chief, Bridge Administration, Seventh Coast Guard District.

[FR Doc. 04-7957 Filed 4-7-04; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[COTP San Francisco Bay 04-006]

RIN 1625-AA00

Security Zone; Suisun Bay, Concord, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary security zones in the navigable waters of the United States adjacent to two piers at the Military Ocean Terminal Concord (MOTCO), California (formerly United States Naval Weapons Center Concord, California). In light of recent terrorist actions against the United States, these security zones are necessary to ensure the safe onloading and offloading of military equipment and to ensure the safety of the public from potential