

Accordingly, part 0, subpart X of title 28 of the Code of Federal Regulations is amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

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

Authority: 5 U.S.C. 301, 3151; 28 U.S.C. 509, 510, 515–519.

2. Section 0.137 of subpart X is revised to read as follows:

§ 0.137 Federal Bureau of Investigation and Drug Enforcement Administration.

Except as to persons in Senior Executive Service positions reporting directly to the Director of the Federal Bureau of Investigation or the Administrator or Deputy Administrator of the Drug Enforcement Administration, the Director of the Federal Bureau of Investigation and the Administrator of the Drug Enforcement Administration are authorized, as to their respective jurisdictions, to exercise the power and authority vested in the Attorney General by law to take final action in matters pertaining to the employment, direction and general administration (including appointment, assignment, training, promotion, demotion, compensation, leave, awards, classification and separation) of personnel, including personnel in wage board positions. All personnel actions under this section shall be subject to post-audit and correction by the Assistant Attorney General for Administration.

3. Section 0.138 of Subpart X is revised to read as follows:

§ 0.138 Bureau of Prisons, Federal Prison Industries, Immigration and Naturalization Service, United States Marshals Service, Executive Office for U.S. Attorneys.

The Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, the Commissioner of Immigration and Naturalization, the Director of the U.S. Marshals Service, and the Director of the Executive Office for U.S. Attorneys are, as to their respective jurisdictions, authorized to exercise the power and authority vested in the Attorney General by law to take final action in matters pertaining to the employment, direction, and general administration (including appointment, assignment, training, promotion, demotion, compensation, leave, awards, classification, and separation) of personnel in General Schedule grades GS–1 through GS–15 and in wage board positions, but excluding therefrom all attorney and U.S. Marshal positions. Such officials are, as to their respective

jurisdictions, authorized to exercise the power and authority vested in the Attorney General by law to employ on a temporary basis experts or consultants or organizations thereof, including stenographic reporting services (5 U.S.C. 3109(b)). All personnel actions taken under this section shall be subject to post-audit and correction by the Assistant Attorney General for Administration.

4. Section 0.157 of subpart X is amended, by revising the heading and paragraphs (c) and (d) and by adding paragraph (e), to read as follows:

§ 0.157 Federal Bureau of Investigation—Drug Enforcement Administration Senior Executive Service.

* * * * *

(c) With respect to personnel within the FBI and the DEA who report directly to the Director of the FBI or to the Administrator or Deputy Administrator of the DEA, the Deputy Attorney General is authorized to exercise the authority conferred upon the Attorney General by 5 U.S.C. 3151 and shall ensure that the FBI–DEA SES is designed and administered in compliance with all statutory and regulatory requirements.

(d) With respect to personnel within the FBI and the DEA not covered by paragraph (c) of this section, and consistent with paragraph (b) of this section and § 0.137, the Director of the FBI and the Administrator of the DEA are authorized to exercise for their respective jurisdictions the authority conferred upon the Attorney General by 5 U.S.C. 3151 and shall ensure that the FBI–DEA SES is designed and administered in compliance with all statutory and regulatory requirements.

(e) The Attorney General retains the authority to recommend members of the FBI–DEA SES for Presidential rank awards.

Dated: June 30, 1995.

Janet Reno,

Attorney General.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[ND–001; FRL–5254–8]

Clean Air Act Final Interim Approval of Operating Permits Program; State of North Dakota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final interim approval.

SUMMARY: The EPA is promulgating final interim approval of the Operating Permits Program submitted by the State of North Dakota for the purpose of complying with Federal requirements for an approvable State Program to issue operating permits to all major stationary sources, and to certain other sources.

EFFECTIVE DATE: August 7, 1995.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the final interim approval are available for inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 8, 999 18th Street, suite 500, Denver, Colorado 80202.

FOR FURTHER INFORMATION CONTACT: Laura Farris, 8ART–AP, U.S. Environmental Protection Agency, Region 8, 999 18th Street, suite 500, Denver, Colorado 80202, (303) 294–7539.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

Introduction

Title V of the 1990 Clean Air Act Amendments (sections 501–507 of the Clean Air Act (“the Act”)), and implementing regulations at 40 Code of Federal Regulations (CFR) part 70 (part 70) require that States develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within one year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to two years. If EPA has not fully approved a program by two years after the November 15, 1993 date, or by the end of an interim program, it must establish and implement a Federal program.

On April 28, 1995 EPA published a **Federal Register** notice proposing interim approval of the Operating Permits Program for the State of North Dakota. See 60 FR 20941. EPA received adverse comments on the proposed interim approval, which are addressed below, and is taking final action to promulgate interim approval of the North Dakota PROGRAM.