

**PART 70—[AMENDED]**

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.

2. Appendix A to part 70 is amended by adding paragraph (n) to the entry for California to read as follows:

**Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs**

\* \* \* \* \*

The following district program was submitted by the California Air Resources Board on behalf of:

(n) *Mariposa Air Pollution Control District*: submitted on March 8, 1995; approval effective on February 5, 1996 unless adverse or critical comments are received by January 8, 1996.

\* \* \* \* \*

[FR Doc. 95-29834 Filed 12-6-95; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****49 CFR Part 1**

[OST Docket No 1; Amdt. 1-274]

**Organization and Delegation of Powers and Duties; Transfer of Delegations from the Director of Commercial Space Transportation to the Administrator of the Federal Aviation Administration**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Office of Commercial Space Transportation (OCST) is being transferred from the Office of the Secretary to the Federal Aviation Administration. Accordingly, the Secretary's delegation of authority for the functions under the Department's commercial space transportation program is being transferred from the Director of Commercial Space Transportation to the Administrator of the Federal Aviation Administration. The rule is necessary to reflect the delegations in the Code of Federal Regulations.

**EFFECTIVE DATE:** This rule is effective November 16, 1995.

**FOR FURTHER INFORMATION CONTACT:** Steven B. Farbman, Office of the Assistant General Counsel for Regulation and Enforcement (202) 366-9306, United States Department of Transportation, 400 7th Street SW, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** Responsibility for the Department's

commercial space transportation program is being transferred from the Office of the Secretary to the Federal Aviation Administration. This rule amends the delegations to reflect the transfer.

Since this rule relates to departmental management, organization, procedure, and practice, notice and public comment are unnecessary. For the same reason, good cause exists for not publishing this rule at least 30 days before its effective date, as is ordinarily required by 5 U.S.C. 553(d). Because the date of the transfer of responsibility for the commercial space transportation program is November 16, 1995, that is the effective date of this rule.

**List of Subjects in 49 CFR Part 1**

Authority delegations (Government agencies), Organizations and functions (Government agencies).

**PART 1—[AMENDED]**

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

Authority: 49 U.S.C. 322; Pub. L. 101-552, 28 U.S.C. 2672, 31 U.S.C. 3711(a)(2).

2. Section 1.4 is amended by removing "and" at the end of paragraph (c)(6), by removing the period at the end of paragraph (c)(7) and adding "; and" in its place, and by adding a new paragraph (c)(8) to read as follows:

**§ 1.4 General responsibilities.**

\* \* \* \* \*

(c) \* \* \*

(8) Promulgating and enforcing regulations on all safety matters relating to commercial launch activities.

\* \* \* \* \*

**§ 1.22 [Amended]**

3. Section 1.22(a) is amended by removing the words "the Office of Commercial Space Transportation;"

**§ 1.23 [Amended]**

4. Section 1.23(n) is removed and reserved.

5. Section 1.47 is amended by adding paragraphs (u), (v), and (w) to read as follows:

**§ 1.47 Delegations to Federal Aviation Administrator.**

\* \* \* \* \*

(u) Carry out the functions assigned to the Secretary by Executive Order 12465 (February 24, 1984) (3 CFR, 1984 Comp., p. 163) relating to commercial expendable launch vehicle activities.

(v) Carry out the functions vested in the Secretary by 49 U.S.C. Subtitle IX.

(w) Carry out the functions vested in the Secretary by the National

Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (Pub. L. 102-588, 106 Stat 5119, November 4, 1992).

**§ 1.68 [Removed and reserved]**

6. Section 1.68 is removed and reserved.

Issued at Washington, DC, this 23rd day of October, 1995.

Federico Peña,

*Secretary of Transportation.*

[FR Doc. 95-29867 Filed 12-6-95; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 638**

[Docket No. 950725190-5257-02; I.D. 120195A]

**Coral and Coral Reefs of the Gulf of Mexico; Wild Live Rock Fishery**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure.

**SUMMARY:** NMFS closes the fishery for wild live rock in the exclusive economic zone (EEZ) of the Gulf of Mexico. This action is necessary to prevent exceeding the quota for 1995.

**EFFECTIVE DATE:** Effective 12:01 a.m., December 5, 1995 through December 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Georgia Cranmore, 813-570-5305.

**SUPPLEMENTARY INFORMATION:** Live rock in the EEZ is managed under the Fishery Management Plan for Coral and Coral Reefs of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council and is implemented through regulations at 50 CFR part 638 under the authority of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

Section 638.26(d)(1) established a quota of 500,000 lb (226,796 kg) for the fishing year that began January 1, 1995. Section 638.26(d)(2) requires the Assistant Administrator for Fisheries, NOAA (AA), to close the wild live rock fishery in the Gulf EEZ when the quota is reached, or is projected to be reached.

The AA has determined that the quota will be reached on December 4, 1995. Accordingly, the wild live rock fishery in the Gulf EEZ is closed effective 12:01 a.m., local time, December 5, 1995, and