

obligations imposed upon the Board and upon the trustees.

(d) Any residual funds not required to defray the necessary expenses of liquidation shall be turned over to the Secretary to be disposed of, to the extent practical, to one or more softwood lumber industry organizations in the United States whose mission is generic softwood lumber promotion, research, and information programs.

#### **§ 1217.84 Effect of termination or amendment.**

Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant thereto, or the issuance of any amendment to either thereof, shall not:

(a) Affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued thereunder;

(b) Release or extinguish any violation of this subpart or any regulation issued thereunder; or

(c) Affect or impair any rights or remedies of the United States, or of the Secretary or of any other persons, with respect to any such violation.

#### **§ 1217.85 Personal liability.**

No member or employee of the Board shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member or employee, except for acts of dishonesty or willful misconduct.

#### **§ 1217.86 Separability.**

If any provision of this subpart is declared invalid or the applicability of it to any person or circumstances is held invalid, the validity of the remainder of this subpart, or the applicability thereof to other persons or circumstances shall not be affected thereby.

#### **§ 1217.87 Amendments.**

Amendments to this subpart may be proposed from time to time by the Board or any interested person affected by the provisions of the Act, including the Secretary.

#### **§ 1217.88 OMB control numbers.**

The control numbers assigned to the information collection requirements by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35, are OMB control number 0505-0001 (Board nominee background statement) and OMB control number 0581-0265.

### **Subpart B—[Reserved]**

Dated: July 28, 2011.

**David R. Shipman,**

*Acting Administrator.*

[FR Doc. 2011-19491 Filed 8-1-11; 8:45 am]

**BILLING CODE 3410-02-P**

## **DEPARTMENT OF ENERGY**

### **10 CFR Parts 429 and 430**

**[Docket No. EERE-2010-BT-CE-0014]**

**RIN 1904-AC23**

#### **Energy Conservation Program: Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment; Correction**

##### *Correction*

In rule document 2011-10401 appearing on pages 24762-24782 in the issue of May 2, 2011, make the following correction:

#### **§ 429.54 [Corrected]**

On page 14780, the formula for § 429.54(a)(2)(i)(B) should read:

$$LCL = \bar{x} - t_{0.99} \left( \frac{s}{\sqrt{n}} \right)$$

And  $\bar{x}$  is the sample mean;  $s$  is the sample standard deviation;  $n$  is the number of samples; and  $t_{0.99}$  is the  $t$  statistic for a 99% two-tailed confidence interval with  $n-1$  degrees of freedom (from Appendix A).

[FR Doc. C1-2011-10401 Filed 8-1-11; 8:45 am]

**BILLING CODE 1505-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 95**

**[Docket No. 30794; Amdt. No. 495]**

#### **IFR Altitudes; Miscellaneous Amendments**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace

System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**DATES:** *Effective Date:* 0901 UTC, August 25, 2011.

#### **FOR FURTHER INFORMATION CONTACT:**

Harry Hodges, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

#### **The Rule**

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

#### **Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a

“significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 95

Airspace, Navigation (air).

Issued in Washington, DC, on July 22, 2011.

**John M. Allen,**

*Director, Flight Standards Service.*

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, August 25, 2011.

#### PART 95 [AMENDED]

■ 1. The authority citation for part 95 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

■ 2. Part 95 is amended to read as follows:

#### Revisions to IFR Altitudes & Changeover Points

#### Amendment 495

**Effective Date August 25, 2011**

From	To	MEA	MAA
§ 95.3000 Low Altitude RNAV Routes			
§ 95.3502 RNAV Route TK502 Is Added To Read			
95.3502 RNAV Route TK502			
Westminster, MD VORTAC .....	Taylo, MD FIX .....	2700	17500
Taylo, MD FIX .....	Wingo, PA FIX .....	* 2500	17500
* 2000–MOCA			
Wingo, PA FIX .....	Sinon, PA FIX .....	2400	17500
Sinon, PA FIX .....	Gribl, PA FIX .....	2400	17500
Gribl, PA FIX .....	Tolan, NJ FIX .....	2100	17500
Tolan, NJ FIX .....	Balde, NY FIX .....	* 2100	17500
* 1500–MOCA			
Balde, NY FIX .....	Spate, NY FIX .....	* 2100	17500
* 1400–MOCA			
Spate, NY, FIX .....	Deckr, NY FIX .....	2100	17500
§ 95.3504 RNAV Route TK504 Is Added To Read			
95.3504 RNAV Route TK504			
Rusey, MD FIX .....	Cidob, MD FIX .....	* 1800	17500
* 1500–MOCA			
Cidob, MD FIX .....	Hamor, PA FIX .....	2300	17500
Hamor, PA FIX .....	Arcum, PA FIX .....	* 2300	17500
* 2000–MOCA			
Arcum, PA FIX .....	Tully, PA FIX .....	2600	17500
Tully, PA FIX .....	Borke, NJ FIX .....	2000	17500
Borke, NJ FIX .....	Banka, NJ FIX .....	2000	17500
From	To	MEA	
§ 95.6001 Victor Routes—U.S.			
§ 95.6002 VOR Federal Airway V2 Is Amended To Read in Part			
Livingston, MT VOR/DME .....	Reepo, MT FIX .....		9700
Colus, MT FIX .....	Billings, MT VORTAC.		
	W BND .....		9000
	E BND .....		6400
§ 95.6026 VOR Federal Airway V26 Is Amended To Read in Part			
Wausau, WI VORTAC .....	Green Bay, WI VORTAC .....		# 3000
# GNSS Required			
§ 95.6036 VOR Federal Airway V36 Is Amended To Read in Part			
# Elmira, NY VOR/DME .....	Hawly, PA FIX .....		* 4500
* GNSS MEA.			
# Elmira R–122 Unusable below FL180 Beyond 40 NM.			
§ 95.6056 VOR Federal Airway V56 Is Amended To Read in Part			
Florence, SC VORTAC .....	Fayetteville, NC VOR/DME .....		2300
§ 95.6086 VOR Federal Airway V86 Is Amended To Read in Part			
Livingston, MT VOR/DME .....	Reepo, MT FIX .....		9700
Colus, MT FIX .....	Billings, MT VORTAC.		

From	To	MEA
	W BND .....	9000
	E BND .....	6400
<b>§ 95.6094 VOR Federal Airway V94 Is Amended To Read in Part</b>		
Greenville, MS VOR/DME ..... * 2100-MOCA	Holly Springs, MS VORTAC .....	* 3000
<b>§ 95.6097 VOR Federal Airway V97 Is Amended To Read in Part</b>		
Seminole, FL VORTAC .....	Pecan, GA VORTAC .....	2100
<b>§ 95.6119 VOR Federal Airway V119 Is Amended To Read in Part</b>		
Newcombe, KY VORTAC ..... Croup, OH FIX ..... * 2400-MOCA * 2800-GNSS MEA	Croup, OH FIX ..... Henderson, WV VORTAC .....	2800 * 5500
<b>§ 95.6128 VOR Federal Airway V128 Is Amended To Read in Part</b>		
York, KY VORTAC ..... * 2300-MOCA Croup, OH FIX ..... Ruley, WV FIX .....	CROUP, OH FIX ..... Ruley, WV FIX ..... Charleston, WV VORTAC .....	* 3300 3200 3600
<b>§ 95.6155 VOR Federal Airway V155 Is Amended To Read in Part</b>		
Chesterfield, SC VOR/DME ..... Lills, NC FIX ..... * 2000-MOCA * 2400-GNSS MEA	Lills, NC FIX ..... Sandhills, NC VORTAC .....	2300 * 8000
<b>§ 95.6157 VOR Federal Airway V157 Is Amended To Read in Part</b>		
Waycross, GA VORTAC ..... # Alma R-189 Unusable use Waycross R-009. Florence, SC VORTAC .....	# Alma, GA VORTAC ..... Fayetteville, NC VOR/DME .....	2000 2300
<b>§ 95.6270 VOR Federal Airway V270 Is Amended To Read in Part</b>		
Delancey, NY VOR/DME ..... Athos, NY FIX ..... * 4000-MOCA	Athos, NY FIX ..... Chester, MA VOR/DME .....	6300 * 4500
<b>§ 95.6292 VOR Federal Airway V292 Is Amended To Read in Part</b>		
Sages, NY FIX ..... * 4500-MRA ** 6400-MOCA ** 7000-GNSS MEA * Wigan, NY FIX ..... * 4500-MRA ** 4900-MOCA ** 5000-GNSS MEA # BARNES R-279 Unusable BYD 50 NM.	* Wigan, NY FIX ..... # Barnes, MA VORTAC .....	** 10000 ** 10000
<b>§ 95.6325 VOR Federal Airway V325 Is Amended To Read in Part</b>		
Dalas, GA FIX ..... * 3700-MOCA # GNSS MEA Caran, GA FIX ..... * 4200-MOCA # Gadsden R-089 Unusable BYD 47NM Except for ACFT Equipped with Suitable RNAV System With GPS.	Caran, GA FIX ..... # Gadsden, AL VOR/DME .....	# * 5000 * 5000
<b>§ 95.6520 VOR Federal Airway V520 Is Amended To Read in Part</b>		
Salmon, ID VOR/DME ..... * 9000-MCA Dubois, ID VORTAC, E BND * 10600-MCA Dubois, ID VORTAC, W BND	* Dubois, ID VORTAC .....	13600
<b>§ 95.6521 VOR Federal Airway V52 Is Amended To Read in Part</b>		
# Cross City, FL VORTAC .....	Hevvn, FL FIX .....	* 5000

From	To	MEA
* 1400–MOCA * 2000–GNSS MEA # Cross City R–289 Unusable Beyond 60 NM. Hevvn, FL FIX ..... * 1300–MOCA * GNSS MEA * GNSS Required Teres, FL FIX ..... * 1400–MOCA * 2000–GNSS MEA	Teres, FL FIX .....  Cress, FL FIX .....	* 2000  * 4000
<b>§ 95.6535 VOR Federal Airway V535 Is Amended To Read in Part</b>		
Sidon, MS VORTAC ..... * 2100–MOCA .....	Holly Springs, MS VORTAC .....	* 3000
<b>§ 95.6578 VOR Federal Airway V578 Is Amended To Read in Part</b>		
Tift Myers, GA VOR ..... * 2100–MOCA * 2100–GNSS MEA # Alma R–263 Unusable Use Tift Myers R–083.	# Alma, GA VORTAC .....	* 3000
<b>§ 95.6401 Hawaii VOR Federal Airway V1 Is Amended To Read in Part</b>		
Kona, HI VORTAC ..... * 4100–MCA Reefs, HI FIX, SE BND Reefs, HI FIX ..... * 1300–MOCA Moana, HI FIX ..... * 1300–MOCA Rowin, HI FIX ..... ** 1300–MOCA	* Reefs, HI FIX ..... MOANA, HI FIX ..... Rowin, HI FIX ..... * Lavas, HI FIX .....	5000 * 2000 * 4000 ** 8000
<b>§ 95.6403 Hawaii VOR Federal Airway V3 Is Amended To Read in Part</b>		
Mynah, HI FIX ..... * 5400–MCA JASON, HI FIX, NE BND Jason, HI FIX .....	* Jason, HI FIX ..... Kamuela, HI VOR/DME .....	3500 6700
<b>§ 95.6405 Hawaii VOR Federal Airway V5 Is Amended To Read in Part</b>		
Kona, HI VORTAC ..... * 4100–MCA Mynah, HI FIX, SE BND Mynah, HI FIX ..... * 1300–MOCA Hefti, HI FIX .....	* Mynah, HI FIX ..... Hefti, HI FIX ..... Maken, HI FIX .....	5000 * 2000 6000
<b>§ 95.6407 Hawaii VOR Federal Airway V7 Is Amended To Read in Part</b>		
Kona, HI VORTAC ..... * 4100–MCA Reefs, HI FIX, SE BND Reefs, HI FIX ..... * 1300–MOCA Moana, HI FIX ..... * 1300–MOCA	* Reefs, HI FIX ..... Moana, HI FIX ..... Rowin, HI FIX .....	5000 * 2000 * 4000
<b>§ 95.6411 Hawaii VOR Federal Airway V11 Is Amended To Read in Part</b>		
Reefs, HI FIX ..... * 4600–MCA FLITT, HI FIX, N BND ** 2000–MOCA ** 2000–GNSS MEA Flitt, HI FIX .....	* Flitt, HI FIX .....  Upolu Point, HI VORTAC .....	** 3000  5700
<b>§ 95.6420 Hawaii VOR Federal Airway V20 Is Amended To Read in Part</b>		
Jorda, HI FIX ..... * 13000–MRA ** 1300–MOCA * Fires, HI FIX ..... * 13000–MRA ** 1300–MOCA Hokla, HI FIX ..... * 1300–MOCA	* Fires, HI FIX ..... NW BND ..... SE BND ..... * Hokla, HI FIX .....  Typho, HI FIX .....	** 10000 ** 13000 ** 13000  * 8000

From	To	MEA
Typho, HI FIX .....	* Robyn, HI FIX .....	
* 3900—MCA Robyn, HI FIX, SE BND	SE BND .....	** 3000
** 1300—MOCA	NW BND .....	** 8000
Robyn, HI FIX .....	Kona, HI VORTEC .....	5000

From	To	MEA	MAA
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**§ 95.7001 Jet Routes**  
**§ 95.7045 Jet Route J45 Is Amended To Read in Part**

# Alma, GA VORTAC .....	Macon, GA VORTAC .....	18000	45000
# Alma R-320 Unusable use Macon R-139			

**§ 95.7149 Jet Route J149 Is Amended To Read in Part**

# Armel, VA VORTAC .....	Eytee, WV FIX .....	* 31000	41000
* 18000—GNSS MEA			
# Armel R-281 Unusable BYD 119 NM. NA Except for Aircraft Equipped With Suitable RNAV System With GPS.			
* GNSS Required.			
Eytee, WV FIX .....	Geffs, WV FIX .....	* 31000	41000
* 18000—GNSS MEA			
* GNSS Required			

From	To	Changeover points	
		Distance	From

**§ 95.8003 VOR Federal Airway Changeover Points Airway Segment V119 Is Amended To Add Changeover Point**

Newcombe, KY VORTAC .....	Henderson, WV VORTAC .....	32	Newcombe
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**V578 Is Amended To Delete Changeover Point**

Tift Myers, GA VOR .....	Alma, GA VORTAC .....	26	Tift Myers
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[FR Doc. 2011-19504 Filed 8-1-11; 8:45 am]

BILLING CODE 4910-13-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Part 1816

RIN 2700-AD69

### NASA Implementation of Federal Acquisition Regulation (FAR) Award Fee Language Revision

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** NASA has adopted, without change, an interim final rule amending the NASA FAR Supplement (NFS) to implement the FAR Award Fee revision issued in Federal Acquisition Circular (FAC) 2005-46.

**DATES:** *Effective Date:* August 2, 2011.

**FOR FURTHER INFORMATION CONTACT:** Bill Roets, NASA, Office of Procurement, Contract Management Division (Suite 5G86); (202) 358-4483; *e-mail:* [william.roets-1@nasa.gov](mailto:william.roets-1@nasa.gov).

**SUPPLEMENTARY INFORMATION:**

#### A. Background

An interim rule was published on February 8, 2011 (76 FR 6696) implementing Federal Acquisition Circular (FAC) 2005-46 which significantly revised FAR Parts 16.305, 16.401, and 16.405-2 by incorporating new requirements relative to the use of award fee incentives. Specifically, the FAR rule implemented section 814 of the John Warner 2007 National Defense Authorization Act (NDAA) and section 867 of the Duncan Hunter 2009 NDAA and which required agencies to:

(1) Link award fees to acquisition objectives in the areas of cost, schedule, and technical performance;

(2) Clarify that the base fee may be included in a cost plus award fee type contract at the discretion of the contracting officer;

(3) Prescribe narrative ratings when making a percentage of award fee available;

(4) Prohibit the issuance of award fees for a rating period if the contractor's performance is judged to be below satisfactory;

(5) Conduct an analysis and consider the results of the analysis when determining whether to use an award fee type contract or not;

(6) Include specific content in the award fee plans; and

(7) Prohibit the rolling over of unearned award fees to subsequent rating periods.

NASA received no comments on the interim rule and has adopted the interim rule as a final rule without change.

#### B. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule is not a major rule under 5 U.S.C. 804.

#### C. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, at 5 U.S.C. 601, *et seq.*,