

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

9 CFR Parts 102, 103, 104, 108, 112, 113, 114, 116, and 124

[Docket No. APHIS–2009–0069]

#### Viruses, Serums, Toxins, and Analogous Products and Patent Term Restoration; Nonsubstantive Amendments

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** On April 21, 2010, the Animal and Plant Health Inspection Service published a direct final rule. (See 75 FR 20771–20773.) The direct final rule notified the public of our intention to amend the Virus-Serum-Toxin Act regulations concerning veterinary biological products to update the addresses provided for units within the Center for Veterinary Biologics and to make several nonsubstantive technical changes to the regulations to update information concerning the number of copies of Outlines of Production and labeling to submit, and to provide information concerning using the Internet to obtain forms and apply for veterinary biologics permits. We did not receive any written adverse comments or written notice of intent to submit adverse comments in response to the direct final rule.

**DATES:** *Effective Date:* The effective date of the direct final rule is confirmed as June 21, 2010.

**FOR FURTHER INFORMATION CONTACT:** Dr. Albert P. Morgan, Chief of Operational Support Section, Center for Veterinary Biologics, Policy, Evaluation, and Licensing, VS, APHIS, 4700 River Road Unit 148, Riverdale, MD 20737–1231; (301) 734–8245.

**Authority:** 21 U.S.C. 151–159; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 8<sup>th</sup> day of July 2010.

**Kevin Shea**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010–17076 Filed 7–13–10; 1:33 pm]

**BILLING CODE 3410–34–S**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2009–1190; Airspace Docket No. 09–ANM–27]

#### Establishment of Class E Airspace; Kemmerer, WY

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

**ACTION:** Final rule.

**SUMMARY:** This action will establish Class E airspace at Kemmerer, WY to accommodate aircraft using a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) at Kemmerer Municipal Airport. This will improve the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective date, 0901 UTC, September 23, 2010. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203–4537.

#### SUPPLEMENTARY INFORMATION:

##### History

On March 11, 2010, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend controlled airspace at Kemmerer, WY (75 FR 11477). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6002 and 6005, respectively, of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

#### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E surface airspace, and amending Class E airspace extending upward from 700 feet above the surface by amending the geographic coordinates to coincide with the FAA's National Aeronautical Charting Office for Kemmerer Municipal Airport. This action will accommodate IFR aircraft executing new RNAV (GPS) SIAPs at the airport. This action is necessary for the safety and management of IFR operations.

The FAA has determined this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the