

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2011-0016; Airspace
Docket No. 11-ANM-1]

**Modification of Class E Airspace;
Poplar, MT**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace at Poplar Municipal Airport, Poplar, MT. The airport was moved 1.5 Nautical Miles (NM) to the northeast. Controlled airspace is necessary to accommodate aircraft using a new Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Poplar Municipal Airport, Poplar, MT. This improves the safety and management of Instrument Flight Rules (IFR) operations at the airport. This also corrects the airport name from Poplar Airport.

DATES: Effective date, 0901 UTC, August 25, 2011. 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 February 16, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish additional controlled airspace at Poplar, MT (76 FR 8921). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. The FAA received one comment suggesting omitting language in the legal description relating to Federal airways and the Wolf Point, MT, Class E airspace area. The FAA found merit in this comment, and will make the change to the legal description. With the exception of editorial changes and the changes described above, this rule is the same as that proposed in the NPRM.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9U dated August 18, 2010, and effective September 15, 2010, 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 amending Class E airspace at Poplar Municipal Airport, Poplar, MT. The airport was moved 1.5 nautical miles to the northeast, and controlled airspace extending upward from 700 feet above the surface is necessary to accommodate IFR aircraft executing new RNAV (GPS) standard instrument approach procedures at Poplar Municipal Airport. This enhances the safety and management of IFR operations at the airport. This action also notes the change in the airport name from Poplar Airport to Poplar Municipal Airport.

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. 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 that 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 scope of that authority as it establishes additional controlled airspace at Poplar Municipal Airport, Poplar, MT.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 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.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010, and effective September 15, 2010 is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ANM MT E5 Poplar, MT [Modified]

Poplar Municipal Airport, MT
(Lat. 48°08'04" N., long. 105°09'44" W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of the Poplar Municipal Airport, and within 4 miles each side of the 105° bearing extending from the airport to 10.3 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line from lat. 47°53'25" N., long. 105°52'50" W.; to lat. 48°18'00" N., long. 105°52'50" W.; to lat. 48°18'00" N., long. 104°30'00" W.; to lat. 47°53'25" N., long. 104°30'00" W.; thence to point of beginning.

Issued in Seattle, Washington, on May 10, 2011.

John Warner,

Manager, Operations Support Group, Western Service Center.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 800**

[Docket No. FDA-2011-D-0258]

Compliance Policy Guide: Surgeons' Gloves and Patient Examination Gloves; Defects—Criteria for Direct Reference Seizure

AGENCY: Food and Drug Administration, HHS.