From	To	MEA
*2400—MOCA		
§ 95.6555 VOR Federal Airway V555 Is Amended To Delete		
MC COMB, MS VORTAC	*BANDO, MS FIX	2100
*3400—MRA		
BANDO, MS FIX	JACKSON, MS VORTAC	2000
JACKSON, MS VORTAC	*VAHNS, MS FIX	2000
*3500—MRA		
VAHNS, MS FIX	SIDON, MS VORTAC	2000
§ 95.6557 VOR Federal Airway V557 Is Amended To Delete		
MC COMB, MS VORTAC	*BYRAM, MS FIX	2900
*4200—MRA		
*BYRAM, MS FIX	JACKSON, MS VORTAC	2900
*4200—MRA		
JACKSON, MS VORTAC	SIDON, MS VORTAC	2000
§ 95.6611 VOR Federal Airway V611 Is Amended To Read in Part		
GOSIP, CO FIX	PUEBLO, CO VORTAC	8700
*LIMEX, CO FIX	GILL, CO VOR/DME	7900
*10000—MRA		
§ 95.6440 Alaska VOR Federal Airway V440 Is Amended To Read in Part		
CENTA, AK FIX	SALIS, AK FIX	#*9000
*2000—MOCA		
#MEA IS ESTABLISHED WITH A GAP IN NAVIGATION SIGNAL COVERAGE.		

From	To	MEA	MAA
§ 95.7001 Jet Routes			
§ 95.7004 Jet Route J4 Is Amended To Read in Part			
BELCHER, LA VORTAC	MAGNOLIA, MS VORTAC	18000	45000
MAGNOLIA, MS VORTAC	MERIDIAN, MS VORTAC	18000	45000
§ 95.7020 Jet Route J20 Is Amended To Read in Part			
BELCHER, LA VORTAC	MAGNOLIA, MS VORTAC	18000	45000
MAGNOLIA, MS VORTAC	MERIDIAN, MS VORTAC	18000	45000

Airway Segment		Changeover Points	
From	To	Distance	From
§ 95.8003 VOR Federal Airway Changeover Point V198 Is Amended To Delete Changeover Point			
JUNCTION, TX VORTAC	SAN ANTONIO, TX VORTAC	51	JUNCTION
Alaska V440 Is Amended To Add Changeover Point			
YAKUTAT, AK VOR/DME	BIORKA ISLAND, AK VORTAC	108	YAKUTAT
BIORKA ISLAND, AK VORTAC	SANDSPIT, CA VOR/DME	134	BIORKA ISLAND

[FR Doc. 2013–17841 Filed 7–24–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1240

[Docket No. FDA–2013–N–0639]

Turtles Intrastate and Interstate Requirements

AGENCY: Food and Drug Administration, HHS.

ACTION: Direct final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending its regulations regarding the prohibition on the sale, or other commercial or public distribution, of viable turtle eggs and live turtles with a carapace length of less than 4 inches to remove procedures for destruction as FDA believes it is not necessary to routinely demand this destruction to achieve the purpose of the regulations. This action will reduce

the need for investigator training and the time for the care and humane destruction of these animals.

DATES: This rule is effective January 16, 2014. Submit either electronic or written comments by October 8, 2013. If FDA receives no significant adverse comments within the specified comment period, the Agency will publish a document confirming the effective date of the final rule in the **Federal Register** within 30 days after the comment period on this direct final rule ends. If timely significant adverse comments are received, the Agency will publish a document in the **Federal Register** withdrawing this direct final rule before its effective date.

ADDRESSES: You may submit comments, identified by Docket No. FDA–2013–N–0639, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Written Submissions

Submit written submissions in the following ways:

- *Mail/Hand delivery/Courier* (For paper or CD–ROM submissions): Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the Agency name and Docket No. FDA–2013–N–0639 for this rulemaking. All comments received may be posted without change to *http://www.regulations.gov,* including any personal information provided. For additional instructions on submitting comments, see the ''Comments'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Dillard Woody, Center for Veterinary Medicine (HFV–231), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240–276–9237, email: *Dillard.Woody@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA published regulations in 21 CFR 1240.62 on May 23, 1975 (40 FR 22543), that ban the sale and distribution of viable turtle eggs and turtles with a carapace length of less than 4 inches to stop the spread of turtle-associated salmonellosis in humans, especially in young children.

The regulations provide that viable turtle eggs and live turtles with a carapace length of less than 4 inches shall not be sold, held for sale, or offered for any other type of commercial or public distribution. The ban does not apply to such distribution for bona fide scientific, educational, or exhibitional purposes other than use as pets; to such distribution not in connection with a business; and to such distribution intended for export only. In addition, the turtle ban does not apply to marine turtles and their eggs.

The regulations further provide that any turtle eggs or live turtles with a carapace length of less than 4 inches that are held for sale or offered for any other type of commercial or public distribution in violation of the regulations shall be subject to destruction in a humane manner by or under the supervision of an officer or employee of FDA, in accordance with specified procedures. Once a written demand for destruction is served, the rule prohibits the selling, distributing, or otherwise disposing of the viable turtle eggs or live turtles in a manner other than destroying them under FDA supervision.

FDA is amending the regulations to remove the provisions making violative turtle eggs and live turtles routinely subject to destruction by or under the supervision of an officer or employee of FDA. FDA does not believe that it is necessary to routinely demand destruction of viable turtle eggs and live turtles with a carapace length of less than 4 inches. FDA believes that other activities will achieve the purpose of the regulations, which were enacted to prevent the spread of turtle-associated salmonellosis, especially to young children. These other alternatives include: Raising the turtles until the turtles achieve a carapace length of 4 inches or greater; donating the viable turtle eggs or live turtles to an entity that meets one of the bona fide scientific, educational, or exhibitional exemptions, as provided in the regulations; or exporting the turtles in compliance with all applicable laws.

Although FDA does not believe that it is necessary to routinely demand destruction of viable turtle eggs and live turtles with a carapace length of less than 4 inches, as provided for in the regulations, FDA recognizes that it has the authority and obligation to take appropriate measures to prevent the spread of communicable disease, especially in the face of widespread outbreaks or other public health emergencies. FDA retains the authority to destroy or order the destruction of viable turtle eggs or live turtles of any size under 21 CFR 1240.30, which provides that, ''[w]henever the Commissioner of Food and Drugs determines that the measures taken by health authorities of any State or possession (including political subdivision thereof) are insufficient to prevent the spread of any of the communicable diseases . . . he may take such measures to prevent such spread of the diseases as he deems reasonably necessary, including . . . destruction of animals or articles believed to be sources of infection.''

This direct final rule does not affect the ban on the sale of viable turtle eggs and live turtles with a carapace length of less than 4 inches. Those provisions of the regulations remain in effect. Violators are subject to a fine of not more than $1,000 or imprisonment for not more than 1 year, or both, for each violation, in accordance with section 368 of the Public Health Service Act (PHS Act) (42 U.S.C. 271).

II. Direct Final Rulemaking

FDA has determined that the subject of this rulemaking is suitable for a direct final rule. FDA is amending 21 CFR 1240.62 by removing the provisions making viable turtle eggs and live turtles with a carapace length of less than 4 inches that are held for sale or offered for any other type of commercial or public distribution in violation of the regulations routinely subject to destruction and the associated required procedures. This rule is intended to make noncontroversial changes to existing regulations. The Agency does not anticipate receiving any significant adverse comment on this rule.

Consistent with FDA's procedures on direct final rulemaking, we are publishing elsewhere in this issue of the **Federal Register** a companion proposed rule. The companion proposed rule and this direct final rule are substantively identical. The companion proposed rule provides the procedural framework within which the rule may be finalized in the event the direct final rule is withdrawn because of any significant adverse comment. The comment period for this direct final rule runs concurrently with the comment period of the companion proposed rule. Any comments received in response to the

companion proposed rule will also be considered as comments regarding this direct final rule.

FDA is providing a comment period for the direct final rule of 75 days after the date of publication in the **Federal Register**. If FDA receives a significant adverse comment, we intend to withdraw this direct final rule before its effective date by publication of a notice in the **Federal Register** within 30 days after the comment period ends. A significant adverse comment is one that explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. In determining whether an adverse comment is significant and warrants withdrawing a direct final rule, the Agency will consider whether the comment raises an issue serious enough to warrant a substantive response in a notice-and-comment process in accordance with section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553).

Comments that are frivolous, insubstantial, or outside the scope of the direct final rule will not be considered significant or adverse under this procedure. For example, a comment recommending a regulation change in addition to those in the rule would not be considered a significant adverse comment unless the comment states why the rule would be ineffective without the additional change. In addition, if a significant adverse comment applies to an amendment, paragraph, or section of this rule and that provision can be severed from the remainder of the rule, FDA may adopt as final those provisions of the rule that are not the subject of a significant adverse comment.

If FDA does not receive significant adverse comment in response to the direct final rule, the Agency will publish a document in the **Federal Register** confirming the effective date of the final rule. The Agency intends to make the direct final rule effective 30 days after publication of the confirmation document in the **Federal Register**.

A full description of FDA's policy on direct final rule procedures may be found in a guidance document published in the **Federal Register** of November 21, 1997 (62 FR 62466). The guidance document may be accessed at *http://www.fda.gov/RegulatoryInformation/Guidances/ucm125166.htm.*

III. Legal Authority

FDA is issuing this direct final rule under the public health provisions of the PHS Act. Section 361 of the PHS Act (42 U.S.C. 264) allows the Secretary of the Department of Health and Human Services to make and enforce regulations that are necessary ''to prevent the introduction, transmission, or spread of communicable diseases.''

IV. Environmental Impact

FDA has determined under 21 CFR 25.32(g) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

V. Regulatory Impact Analysis

FDA has examined the impacts of the direct final rule under Executive Order 12866, Executive Order 13563, the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The Agency believes that this direct final rule is not a significant regulatory action as defined by Executive Order 12866.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities. This direct final rule would not affect the ban on the sale of viable turtle eggs and live turtles with a carapace length of less than 4 inches. Since it would allow for, but not require, a change in the disposition of any seized turtles or eggs, it would not impose any additional compliance costs. Further, it may result in a small savings to the Agency from reduced investigator training for the care and humane destruction of these animals. The Agency certifies that the direct final rule will not have a significant economic impact on a substantial number of small entities.

Section 202(a) of the Unfunded Mandates Reform Act of 1995 requires that agencies prepare a written statement, which includes an assessment of anticipated costs and benefits, before proposing ''any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted annually for inflation) in any one year.'' The current threshold after adjustment for inflation is $141 million, using the most current (2012) Implicit Price Deflator for the Gross Domestic Product. FDA does not expect this direct final rule to result in any 1-year expenditure that would meet or exceed this amount.

VI. Federalism

FDA has analyzed this direct final rule in accordance with the principles set forth in Executive Order 13132. FDA has determined that the direct final rule does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, the Agency concludes that the direct final rule does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement is not required.

VII. Paperwork Reduction Act of 1995

This direct final rule contains no collection of information. Therefore, clearance by OMB under the Paperwork Reduction Act of 1995 is not required.

VIII. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday and will be posted to the docket at *http://www.regulations.gov.*

List of Subjects in 21 CFR Part 1240

Communicable diseases, Public health, Travel restrictions, Water supply.

Therefore under the Public Health Service Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 1240 is amended as follows:

PART 1240—CONTROL OF COMMUNICABLE DISEASES

■ 1. The authority citation for 21 CFR part 1240 continues to read as follows:

Authority: 42 U.S.C. 216, 243, 264, 271.

§ 1240.62 [Amended]

■ 2. In § 1240.62, remove paragraph (c) and redesignate paragraphs (d) and (e) as paragraphs (c) and (d), respectively.

Dated: July 16, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–17751 Filed 7–24–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0651]

Drawbridge Operation Regulation; York River, Between Yorktown and Gloucester Point, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulations.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the operation of the Coleman Memorial Bridge (US 17/George P. Coleman Memorial Swing Bridge) across the York River, mile 7.0, between Gloucester Point and Yorktown, VA. This deviation is necessary to facilitate maintenance work on the moveable spans on the Coleman Memorial Bridge. This temporary deviation allows the drawbridge to remain in the closed to navigation position.

DATES: This deviation is effective from 7 a.m. on August 18, 2013 to 5 p.m. August 25, 2013.

ADDRESSES: The docket for this deviation, [USCG–2013–0651] is available at *http://www.regulations.gov*. Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Jim Rousseau, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398–6557, email *James.L.Rousseau2@uscg.mil*. If you have questions on reviewing the docket, call Barbara Hairston, Program Manager, Docket Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION: The Virginia Department of Transportation, who owns and operates this swing bridge, has requested a temporary deviation from the current operating regulation set out in 33 CFR 117.1025, to facilitate maintenance of the moveable spans on the structure.

Under the regular operating schedule, the Coleman Memorial Bridge, mile 7.0, between Gloucester Point and Yorktown, VA, opens on signal except from 5 a.m. to 8 a.m. and 3 p.m. to 7 p.m. Monday through Friday, except Federal holidays the bridge shall remain closed to navigation. The Coleman Memorial Bridge has vertical clearances in the closed position of 60 feet above mean high water.

Under this temporary deviation, the drawbridge will be closed to navigation from 7 a.m. to 5 p.m. on Sunday August 18, 2013; with an inclement weather date from 7 a.m. to 5 p.m. on Sunday August 25, 2013. The bridge will operate under normal operating schedule at all other times. Emergency openings cannot be provided. There are no alternate routes for vessels transiting this section of the York River. The York River is used by a variety of vessels including military, tugs, and recreational vessels. The Coast Guard has carefully coordinated the restrictions with these waterway users.

Vessels able to pass under the bridge in the closed position may do so at anytime and are advised to proceed with caution. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass transiting this section of the York River but vessels may pass before 7 a.m. and after 5 p.m. The Coast Guard will also inform additional waterway users through our Local and Broadcast Notices to Mariners of the closure periods for the bridge so that vessels can arrange their transits to minimize any impacts caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 12, 2013.

Waverly W. Gregory, Jr.,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2013–17915 Filed 7–24–13; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2011–0502; FRL–9838–1]

Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Disapproval of $PM_{2.5}$ Permitting Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is taking final action to disapprove a revision to Wisconsin's State Implementation Plan (SIP) submitted by the Wisconsin Department of Natural Resources (WDNR) on May 12, 2011. The revision concerns permitting requirements relating to particulate matter of less than 2.5 micrometers ($PM_{2.5}$). EPA is taking final action to disapprove the revisions because they do not meet the 2008 $PM_{2.5}$ SIP requirements. The proposed rulemaking was published December 18, 2012. During the comment period which ended on January 17, 2013, no comments were received.

DATES: This final rule is effective on August 26, 2013.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2011–0502. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding Federal holidays. We recommend that you telephone Andrea Morgan at (312) 353–6058 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Andrea Morgan, Environmental Engineer, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–6058, *morgan.andrea@epa.gov*.