

Model Number: VSC-24.

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Dated at Rockville, Maryland, this 31st day of May, 2017.

For the Nuclear Regulatory Commission.

Michael R. Johnson,

Acting Executive Director for Operations.

[FR Doc. 2017-14292 Filed 7-6-17; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 13

[Docket No. FAA-2016-70104; Amdt. Nos. 13-39A]

RIN 2120-AK90

2017 Revisions to the Civil Penalty Inflation Adjustment Tables; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting a final rule published on April 10, 2017. In that rule, the FAA amended its regulations to provide the 2017 inflation adjustment to civil penalty amounts that may be imposed for violations of FAA regulations and the Hazardous Materials Regulations, as required by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. It also finalized the catch-up inflation adjustment interim final rule required by the same Act. The FAA inadvertently stated the effective date for the new maximums/minimums was January 15, 2017, instead of April 10, 2017. This document amends the FAA's regulations to correct that error.

DATES: Effective July 7, 2017.

FOR FURTHER INFORMATION CONTACT: Cole R. Milliard, Attorney, Office of the Chief Counsel, Enforcement Division, AGC-300, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-3452; email cole.milliard@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2017, the FAA published a final rule entitled, "2017 Revisions to the Civil Penalty Inflation Adjustment Tables" (82 FR 17097). In that final rule the FAA amended its regulations to provide the 2017 inflation adjustment to civil penalty maximums and minimums provided in title 14 Code of Federal Regulations (14 CFR) 13.301 and 406.9, as required by the Federal Civil

Penalties Inflation Adjustment Act Improvements Act of 2015.

In the regulatory text, the FAA inadvertently stated the effective date for the new maximums/minimums was January 15, 2017. However, the FAA intended only to apply the newly inflated maximums/minimums for violations occurring on or after April 10, 2017. Therefore, the FAA amends § 13.301(c) to reflect the intended date of April 10, 2017.

List of Subjects in 14 CFR Part 13

Administrative practice and procedure, Air transportation, Hazardous materials transportation, Investigations, Law enforcement, Penalties.

The Correcting Amendment

In consideration of the foregoing, the Federal Aviation Administration amends Chapters I of title 14, Code of Federal Regulations by making the following correction:

PART 13—INVESTIGATIVE AND ENFORCEMENT PROCEDURES

- 1. The authority citation for part 13 continues to read as follows:

Authority: 18 U.S.C. 6002, 28 U.S.C. 2461 (note); 49 U.S.C. 106(g), 5121-5124, 40113-40114, 44103-44106, 44701-44703, 44709-44710, 44713, 44725, 46101-46111, 46301, 46302 (for a violation of 49 U.S.C. 46504), 46304-46316, 46318, 46501-46502, 46504-46507, 47106, 47107, 47111, 47122, 47306, 47531-47532; 49 CFR 1.83.

- 2. In § 13.301, revise the heading of the table in paragraph (c) to read as follows:

§ 13.301 Inflation adjustments of civil monetary penalties.

* * * * *

(c) * * *

Table of Minimum and Maximum Civil Monetary Penalty Amounts for Certain Violations Occurring on or after April 10, 2017

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Issued under the authority provided by 28 U.S.C. 2461 note, 49 U.S.C. 106(f) and 44701(a), and 51 U.S.C. 50901 in Washington, DC, on June 28, 2017.

Lirio Liu,

Director, Office of Rulemaking.

[FR Doc. 2017-14223 Filed 7-6-17; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2015-6751; Airspace Docket No. 15-AWP-18]

Amendment of Class E Airspace; Arcata, CA; Fortuna, CA; and Establishment of Class E Airspace; Arcata, CA, and Eureka, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E surface area airspace, modifies Class E airspace extending upward from 700 feet, and establishes Class E airspace designated as an extension at Arcata Airport, Arcata, CA. The action also modifies Class E airspace extending upward from 700 feet at Rohnerville Airport, Fortuna, CA, and establishes stand-alone Class E airspace extending upward from 700 feet at Murray Field Airport, Eureka, CA, to accommodate airspace redesign for the safety and management of Instrument Flight Rules (IFR) operations within the National Airspace System. Additionally, this action updates the geographic coordinates of these airports.

DATES: Effective 0901 UTC, October 12, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC, 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Tom Clark, Federal Aviation Administration, Operations Support Group, Western

Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4511.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes 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 amends Class E airspace at Arcata Airport, Arcata, CA, and Rohnerville Airport, Fortuna, CA, and establishes Class E airspace at Murray Field, Eureka, CA.

History

On March 28, 2017, the FAA published in the **Federal Register** (82 FR 15306) Docket FAA-2015-6751 a notice of proposed rulemaking (NPRM) to amend Class E airspace at Arcata Airport, Arcata, CA; and Rohnerville Airport, Fortuna, CA, and establish Class E airspace at Arcata Airport, Arcata, CA; and Murray Field Airport, Eureka, CA. 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, 6004, and 6005, respectively, of FAA Order 7400.11A dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying Class E surface area airspace at Arcata Airport, Arcata, CA, and Rohnerville Airport, Fortuna, CA, and establishing Class E airspace designated as an extension at Arcata Airport. Also, stand-alone Class E airspace extending upward from 700 feet above the surface is established at Murray Field Airport, Eureka, CA. This airspace redesign is necessary for the safety and management of IFR operations at these airports, and for efficiency within the National Airspace System.

Class E surface area airspace is amended at Arcata Airport, Arcata, CA, to within a 4.1 mile radius (increased from a 4-mile radius) of the airport; and the Abeta NDB is removed from the description as it was decommissioned and no longer needed.

Class E airspace designated as an extension to a Class D or Class E surface area is established within 2.9 miles each side of the 153° bearing from Arcata Airport extending from the 4.1-mile radius to 10.5 miles southeast of the airport.

Class E airspace extending upward from 700 feet above the surface is reduced to within a 7-mile radius of Arcata Airport, with a segment 4.2 miles wide (2.1 miles each side of the 153° bearing) extending from the 7-mile radius of the airport to 14.1 miles southeast of the airport. Class E airspace extending upward from 1,200 feet above the surface at Arcata Airport is removed, since this airspace is wholly contained within the Rogue Valley Class E en route airspace area.

Class E airspace extending upward from 700 feet above the surface at Murray Field Airport, Eureka, CA, is established within a 6.3-mile radius of Murray Field Airport, with a segment 6.3 miles wide extending to 23 miles southwest of the airport. This airspace area specifically supports IFR operations at Eureka, CA.

Class E airspace extending upward from 700 feet above the surface at Rohnerville Airport, Fortuna, CA, is amended to within a 2.7-mile radius (from a 6.5-mile radius) of Rohnerville Airport, with segments extending 7 miles northwest, 5.2 miles west, and 6.1 miles southeast of the airport. Class E airspace upward from 1,200 feet above the surface at Rohnerville Airport is removed since this airspace is wholly contained within the Rogue Valley Class E en route airspace area.

This action also updates the geographic coordinates for the amended airports in the associated airspace areas

to be in concert with the FAA's aeronautical database.

Regulatory Notices and Analyses

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, is non-controversial and unlikely to result in adverse or negative comments. 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. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists 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 part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 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 FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

*Paragraph 6002 Class E Airspace
Designated as Surface Areas.*

* * * * *

AWP CA E2 Arcata, CA [Modified]

Arcata Airport, CA

(Lat. 40°58'40" N., long. 124°06'31" W.)

That airspace within a 4.1-mile radius of Arcata Airport.

*Paragraph 6004 Class E Airspace
Designated as an Extension to a Class D or
Class E Surface Area.*

* * * * *

AWP CA E4 Arcata, CA [New]

Arcata Airport, CA

(Lat. 40°58'40" N., long. 124°06'31" W.)

That airspace extending upward from the surface within 2.9 miles each side of the 153° bearing from Arcata Airport extending from the 4.1-mile radius to 10.5 miles southeast of the airport.

*Paragraph 6005 Class E Airspace Areas
Extending Upward From 700 Feet or More
Above the Surface of the Earth.*

* * * * *

AWP CA E5 Arcata, CA [Modified]

Arcata Airport, CA

(Lat. 40°58'40" N., long. 124°06'31" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Arcata Airport, and within 2.1 miles each side of the 153° bearing from the airport extending from the 7-mile radius to 14.1 miles southeast of the airport.

* * * * *

AWP CA E5 Eureka, CA [New]

Murray Field Airport, CA

(Lat. 40°48'12" N., long. 124°06'46" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Murray Field Airport, and within 6.3 miles east of the Murray Field Airport 217° bearing extending from the 6.3-mile radius to 23 miles southwest of the airport.

* * * * *

AWP CA E5 Fortuna, CA [Modified]

Rohnerville Airport, CA

(Lat. 40°33'14" N., long. 124°07'58" W.)

That airspace extending upward from 700 feet above the surface within a 2.7 mile radius of Rohnerville Airport, and within 1.8 miles each side of the 326° bearing from the airport extending from the 2.7 mile radius to 7 miles northwest of the airport, and within 1.1-miles each side of the 307° bearing from the airport extending from the 2.7 mile radius to 5.2 miles west of the airport, and within 1.1-miles each side of the 113° bearing from the airport extending from the 2.7 mile radius to 6.1 miles southeast of the airport.

Issued in Seattle, Washington, on June 28, 2017.

Sam S.L. Shrimpton,

*Acting Group Manager, Operations Support
Group, Western Service Center.*

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 742, 744, 772, and 774

[Docket No. 170202139-7139-01]

RIN 0694-AH33

**Revisions to the Export Administration
Regulations Based on the 2016 Missile
Technology Control Regime Plenary
Agreements**

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to reflect changes to the Missile Technology Control Regime (MTCR) Annex that were agreed to by MTCR member countries at the October 2016 Plenary in Busan, South Korea, and the March 2016 Technical Experts Meeting (TEM) in Luxembourg City, Luxembourg. This final rule revises thirteen Export Control Classification Numbers (ECCNs), adds one ECCN, revises two EAR defined terms (including making other EAR conforming changes for the use of these two terms) and makes conforming EAR changes where needed to implement the changes that were agreed to at the meetings and to better align the missile technology (MT) controls on the Commerce Control List (CCL) with the MTCR Annex.

DATES: This rule is effective July 7, 2017.

FOR FURTHER INFORMATION CONTACT: Sharon Bragonje, Nuclear and Missile Technology Controls Division, Bureau of Industry and Security, Phone: (202) 482-0434; Email: *sharon.bragonje@bis.doc.gov*.

SUPPLEMENTARY INFORMATION:

Background

The Missile Technology Control Regime (MTCR or Regime) is an export control arrangement among 35 nations, including most of the world's suppliers of advanced missiles and missile-related equipment, materials, software and technology. The regime establishes a common list of controlled items (the Annex) and a common export control policy (the Guidelines) that member countries implement in accordance with their national export controls. The MTCR seeks to limit the risk of proliferation of weapons of mass destruction by controlling exports of goods and technologies that could make

a contribution to delivery systems (other than manned aircraft) for such weapons.

In 1993, the MTCR's original focus on missiles for nuclear weapons delivery was expanded to include the proliferation of missiles for the delivery of all types of weapons of mass destruction (WMD), *i.e.*, nuclear, chemical and biological weapons. Such proliferation has been identified as a threat to international peace and security. One way to address this threat is to maintain vigilance over the transfer of missile equipment, material, and related technologies usable for systems capable of delivering WMD. MTCR members voluntarily pledge to adopt the Regime's export Guidelines and to restrict the export of items contained in the Regime's Annex. The Regime's Guidelines are implemented through the national export control laws, regulations and policies of the regime members.

**Amendments to the Export
Administration Regulations (EAR)**

This final rule revises the Export Administration Regulations (EAR) to reflect changes to the MTCR Annex agreed to at the October 2016 Plenary in Busan, South Korea, and changes resulting from the March 2016 Technical Experts Meeting (TEM) in Luxembourg City, Luxembourg. References are provided below for the MTCR Annex changes agreed to at the meetings that correspond to the EAR revisions described below. This rule also makes changes to the Commerce Control List (CCL) (Supplement No. 1 to Part 774 of the EAR) and to other EAR provisions in order to conform with the MTCR Annex. All of the changes in this final rule align the MT controls on the CCL and other parts of the EAR with the MTCR Annex. In the discussion below, BIS identifies the origin of each change in the regulatory text of this final rule by using one the following parenthetical phrases: (Busan 2016 Plenary), (Luxembourg 2016 TEM), or (Conforming Change to MTCR Annex).

§ 742.5 (*Missile technology*). In § 742.5 (Missile technology), this final rule revises the first sentence of paragraph (a)(2), which describes the definition of "missiles." The term "missiles" is a defined term in § 772.1, but for ease of reference the first sentence of this paragraph (a)(2) restates the definition. As described in the paragraphs below, this final rule revises the definitions of "missiles" and "unmanned aerial vehicles" in § 772.1 of the EAR, so conforming changes are needed in §§ 742.5 and 744.3, as described below.

Conforming Change to § 742.5(a)(2). This final rule makes conforming changes in paragraph (a)(2) of § 742.5,