

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

[Airspace Docket No. 00-AWP-4]

**Revision to the Legal Description of the Hayward Air Terminal Class D Airspace Area, California****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

**SUMMARY:** This action revises the legal description of the Hayward Air Terminal Class D airspace area by correcting a typographical error that refers to the Metropolitan Oakland International Airport, CA, Class A airspace area. The reference should indicate the Metropolitan Oakland International Airport, CA, Class C airspace area.

**EFFECTIVE DATE:** June 15, 2000.

**FOR FURTHER INFORMATION CONTACT:** Debra Trindle, Airspace Specialist, Airspace Branch, AWP-520.10, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6613.

**SUPPLEMENTARY INFORMATION:****History**

During a routine airspace review, an error was discovered in the legal description of the Hayward Air Terminal Class D airspace area. In this description, a reference is made to the Metropolitan Oakland International Airport, CA, Class A airspace area. This error is typographical in nature. The reference should indicate the Metropolitan Oakland International Airport, CA, Class C airspace area.

Class D airspace areas are published in Paragraph 5000 of FAA Order 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, through September 15, 2000, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to 14 CFR part 71 of the Federal Aviation Regulations revises the legal description of the Hayward Air Terminal Class D airspace area, CA, by correcting the reference to the Metropolitan Oakland International Airport, CA, Class A airspace area to the Metropolitan Oakland International

Airport, CA, Class C airspace area. This action is an administrative amendment to the legal description and will not change the actual dimensions, configuration, or operating requirements of the Hayward Class D airspace area.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 proposed rule would 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 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

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

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

*Paragraph 5000 Class D Airspace*

\* \* \* \* \*

**AWP CA D Hayward, CA [Amended]**

Hayward Air Terminal, CA  
(Lat. 37°39'34" N, long. 122°07'21" W)  
Metropolitan Oakland International Airport  
(Lat. 37°43'17" N, long. 122°13'15" W)

That airspace extending upward from the surface to but not including 1,500 feet MSL within a 3.5 mile radius of the Hayward Air Terminal and within 1.8 miles each side of

the 119° bearing from the Hayward Air Terminal, extending from the 3.5 mile radius to 5.2 miles southeast of the Hayward Air Terminal, excluding that portion within the Metropolitan Oakland International Airport, Class C airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in Los Angeles, California, on April 12, 2000.

**John Claney,**

*Manager, Air Traffic Division, Western-Pacific Region.*

[FR Doc. 00-10851 Filed 5-1-00; 8:45 am]

**BILLING CODE 4910-13-M****DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 00-ACE-3]

**Amendment to Class E Airspace; Cuba, MO****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of a direct final rule which revises Class E airspace at Cuba, MO.

**DATES:** The direct final rule published at 65 FR 9998 is effective on 0901 UTC, June 15, 2000.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with request for comments in the **Federal Register** on February 25, 2000 (65 FR 9998). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that on adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent of submit such an adverse comment, were received within the comment period, the regulation would become effective on June 15, 2000. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on April 14, 2000.

**Richard L. Day,**

*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 00-10850 Filed 5-1-00; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-AGL-42]

#### Modification of Class E Airspace; Marquette, MI; Revocation of Class E Airspace; Sawyer, MI, and K.I. Sawyer, MI

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

**ACTION:** Final rule; new effective date.

**SUMMARY:** On December 3, 1999, the FAA published a final rule modifying Class E airspace at Marquette, MI, and revoking the Class E airspace at Sawyer, MI, and K.I. Sawyer, MI. An integral part of this airspace action is the decommissioning of the Marquette (MQT), MI, VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) and commissioning of the new Gwinn (GWI), MI, VOR/DME. On February 2, 2000, the effective date of this final rule was delayed until further notice due to the delay in the commissioning, due to construction, of the new Gwinn VOR/DME. The date for commissioning of the GWI VOR/DME is now expected to be August 10, 2000.

**EFFECTIVE DATE:** The effective date of the final rule published at 64 FR 67713 is 0901 UTC, August 10, 2000.

**FOR FURTHER INFORMATION CONTACT:** Denis C. Burke, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

**SUPPLEMENTARY INFORMATION:** On December 3, 1999, the FAA published a final rule modifying Class E airspace at Marquette, MI, and revoking the Class E airspace at Sawyer, MI, and K.I. Sawyer, MI (64 FR 67713). Due to a delay in construction, and subsequent commissioning, of the new Gwinn, MI, VOR/DME this airspace action could not be implemented on the original effective date.

Accordingly, on February 2, 2000, the effective date of the modification of the Class E airspace at Marquette, MI, and the revocation of the Class E airspace at Sawyer, MI, and K.I. Sawyer, MI, was

delayed until further notice (65 FR 4871). The commissioning date for the GWI VOR/DME is now expected to be August 10, 2000.

In consideration of the foregoing, the new effective date of the final rule modifying Class E airspace at Marquette, MI, and revoking the Class E airspace at Sawyer, MI, and K.I. Sawyer, MI (64 FR 67713, December 3, 1999) is established as August 10, 2000.

Issued in Des Plaines, Illinois on April 20, 2000.

**David B. Johnson,**

*Acting Manager, Air Traffic Division.*

[FR Doc. 00-10916 Filed 5-1-00; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 10, 13, 14, and 15

#### Code of Federal Regulations; Authority Citations

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is revising the authority citations for several of its regulations because one of the citations was repealed by Public Law 104-128, Sec. 2, 110 Stat., 1198. This action is being taken to make the regulations accurate. It does not represent a change in agency policy and does not increase any burdens on the public.

**DATES:** This rule is effective May 2, 2000.

**FOR FURTHER INFORMATION CONTACT:** Lajuana D. Caldwell, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-7010.

**SUPPLEMENTARY INFORMATION:** On April 9, 1996, Public Law 104-128 was enacted which repealed 21 U.S.C. 41-50. Therefore, FDA is revising the authority citations for 21 CFR parts 10, 13, 14, and 15 to reflect this amendment.

FDA has determined that repeal of 21 U.S.C. 41-50 did not remove needed statutory authority for any current FDA regulation. Because the changes that the agency is making are not substantive and are merely ministerial changes to the Code of Federal Regulations, the Commissioner of Food and Drugs finds that there is good cause not to engage in notice and public comment procedures,

which are unnecessary, or to delay the effective date of these amendments.

The agency has determined under 21 CFR 25.30(i) 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.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 10, 13, 14, and 15 are amended as follows:

#### PART 10—ADMINISTRATIVE PRACTICES AND PROCEDURES

1. The authority citation for 21 CFR part 10 is revised to read as follows:

**Authority:** 5 U.S.C. 551-558, 701-706; 15 U.S.C. 1451-1461; 21 U.S.C. 141-149, 321-397, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b, 264.

#### PART 13—PUBLIC HEARING BEFORE A PUBLIC BOARD OF INQUIRY

2. The authority citation for 21 CFR part 13 is revised to read as follows:

**Authority:** 5 U.S.C. 551-558, 701-721; 15 U.S.C. 1451-1461; 21 U.S.C. 141-149, 321-393, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b-263n, 264.

#### PART 14—PUBLIC HEARING BEFORE A PUBLIC ADVISORY COMMITTEE

3. The authority citation for 21 CFR part 14 is revised to read as follows:

**Authority:** 5 U.S.C. App. 2; 15 U.S.C. 1451-1461; 21 U.S.C. 141-149, 321-394, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b, 264.

#### PART 15—PUBLIC HEARING BEFORE THE COMMISSIONER

4. The authority citation for 21 CFR part 15 is revised to read as follows:

**Authority:** 5 U.S.C. 553; 15 U.S.C. 1451-1461; 21 U.S.C. 141-149, 321-393, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b-263n, 264.

Dated: April 24, 2000.

**Margaret M. Dotzel,**

*Acting Associate Commissioner for Policy.*

[FR Doc. 00-10840 Filed 5-1-00; 8:45 am]

**BILLING CODE 4160-01-F**