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#### List of Subjects in 9 CFR Part 391

Fees and charges, Government employees, Meat inspection, Poultry products.

Accordingly, 9 CFR part 391 is amended as follows:

### PART 391—FEES AND CHARGES FOR INSPECTION SERVICES AND LABORATORY ACCREDITATION

- 1. The authority citation for part 391 continues to read as follows:

**Authority:** 7 U.S.C. 138f; 7 U.S.C. 1622, 1627 and 2219a; 21 U.S.C. 451 et seq.; 21 U.S.C. 601–695; 7 CFR 2.18 and 2.53.

- 2. In § 391.5, paragraph (a) is revised to read as follows:

#### § 391.5 Laboratory accreditation fee.

(a) The annual fee for the initial accreditation and maintenance of accreditation provided pursuant to § 439.5 of this chapter shall be \$5,000.00.

\* \* \* \* \*

Done at Washington, DC, on: September 20, 2013.

**Alfred V. Almanza,**  
Administrator.

[FR Doc. 2013-23505 Filed 9-26-13; 8:45 am]

**BILLING CODE 3410-DM-P**

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### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

**[Docket No. FAA-2013-0516; Airspace Docket No. 13-AAL-2]**

#### Establishment of Class E Airspace; Akutan, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Akutan Airport, Akutan, AK. Controlled airspace is necessary to accommodate aircraft using the new Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at the airport. This action enhances the safety and management of aircraft operations at the airport.

**DATES:** Effective date, 0901 UTC, December 12, 2013. 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:

Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203-4517.

#### SUPPLEMENTARY INFORMATION:

#### History

On July 29, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Akutan Airport, Akutan, AK (78 FR 45477). 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 6005, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 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 airspace extending upward from 700 feet above the surface within a 3.5-mile radius of Akutan Airport, Akutan, AK, with a segment extending from the 3.5-mile radius to 5.5 miles northwest of the airport. This action ensures the safety and management of aircraft operations at the airport.

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 only affects air traffic procedures and air navigation, it is certified 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. 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 controlled airspace at the Akutan Airport, Akutan, AK.

#### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. 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.

#### **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 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

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

\* \* \* \* \*

#### **AAL AK E5 Akutan, AK [New]**

Akutan Airport, AK  
(Lat. 54°08'41" N., long. 165°36'15" W.)

That airspace extending upward from 700 feet above the surface within a 3.5-mile

radius of the Akutan Airport and within 1-mile each side of the 311° bearing extending from the 3.5-mile radius to 5.5-miles northwest of the airport.

Issued in Seattle, Washington, on September 16, 2013.

**Clark Desing,**

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

[FR Doc. 2013-23221 Filed 9-26-13; 8:45 am]

**BILLING CODE 4910-13-P**

§ 121.279(a), with adoption of § 121.803(a) without the words "unless authorized by the Administrator" would remain until the FAA developed more experience with the enhanced EMKs and AEDs. *Id.*

As described in the background section, the FAA has data obtained from the airline industry to demonstrate that use of the emergency medical equipment required by § 121.803(a) would rarely be used on back-to-back flights and therefore has allowed relief for one flight with an incomplete, missing, or inoperative Emergency Medical Kit (EMK) or automated external defibrillator (AED). A copy of Master Minimum Equipment List (MMEL) Policy Letter (PL) 73, Revision 5, Relief for Emergency Medical Equipment, is available for review on the Flight Standards Information Management System found on the FAA's Web site at: <http://fsims.faa.gov/>. A copy will also be posted to the docket for this action.

#### **Background**

FAA PL-73, MMEL Relief for Emergency Medical Equipment, was originally issued on March 4, 1994. The PL was created to provide standardized MMEL requirements for the deferral of approved emergency medical equipment, including EMK, First Aid Kits (FAK), and AEDs required by 14 CFR § 121.803. The purpose of the PL has remained consistent throughout its five revisions, although the relief specifics have been further defined. Revision 1 reformatting the PL to conform to PL standardization requirements. Revision 2 expanded the relief for FAKs to include relief for all emergency medical equipment. Revision 3 clarified that emergency medical equipment in excess of the regulatory requirements can be inoperative. Revision 4 provided three-flight limited dispatch authority for all incomplete, missing, or inoperative EMKs, FAKs, and AEDs that do not meet the minimum regulatory requirements. Revision 5 reduced the limited dispatch authority available from three flights to one flight in all situations.

On April 6, 2001, the FAA issued the final rule requiring certain aircraft operating under part 121 to carry EMKs, FAKs, and AEDs. See 66 FR 19028. The final rule's preamble reflected the FAA's long-standing position that emergency medical equipment items are "no-go" items and AEDs should also be considered "no-go" items meaning that if they are not operating pursuant to the regulatory standard then the flight should not be permitted to takeoff. In that final rule, the FAA also indicated

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Parts 121 and 135**

**[Docket No. FAA-2000-7119]**

**RIN 2120-AG89**

#### **Emergency Medical Equipment**

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

**ACTION:** Final rule; notice of policy change and availability.

**SUMMARY:** This action supplements the preamble published in the **Federal Register** on April 12, 2001 (66 FR 19028). The FAA has reviewed data for automated external defibrillators and enhanced emergency medical kits to amend the "no go" provision. Data show that allowing these items to be incomplete, missing, or inoperative for one flight in accordance with the FAA master minimum equipment list does not adversely affect aviation safety. This action provides notice of the data finding and makes available the corresponding policy change for the one-flight relief for use of emergency medical equipment.

**DATES:** This action becomes effective September 27, 2013.

#### **FOR FURTHER INFORMATION CONTACT:**

Gregory J. Janosik, New Program Implementation and International Support Branch, Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202-267-8166; facsimile: 202-267-5229; email: [Gregory.Janosik@faa.gov](mailto:Gregory.Janosik@faa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rule entitled, "Emergency Medical Equipment," published on April 12, 2001 (66 FR 19028), the preamble states that automated external defibrillators (AED) should be, and enhanced emergency medical kits (EMK) should remain, "no-go" items. See 66 FR 19033. That final rule's preamble also states that the current provision under