

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020 and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending 14 CFR part 71 by modifying VOR Federal airways V-12, V-74, and V-516. The planned decommissioning of the VOR portion of the Anthony, KS, VORTAC NAVAID has made this action necessary. The VOR Federal airway changes are outlined below.

V-12: V-12 extends between the Gaviota, CA, VORTAC and the Shelbyville, IN, VOR/Distance Measuring Equipment (VOR/DME); and between the Allegheny, PA, VOR/DME and the Pottstown, PA, VORTAC. The airway segment between the Mitbee, OK, VORTAC and the Wichita, KS, VORTAC is removed. Additionally, the Amarillo, TX, VOR listed in the airway description is corrected to reflect the Panhandle, TX, VORTAC. The unaffected portions of the existing airway remain as charted.

V-74: V-74 extends between the Garden City, KS, VORTAC and the Magnolia, MS, VORTAC. The airway segment between the Dodge City, KS, VORTAC and the Pioneer, OK, VORTAC is removed. The unaffected portions of the existing airway remain as charted.

V-516: V-516 extends between the Liberal, KS, VORTAC and the Oswego, KS, VOR/DME. The airway segment between the Liberal, KS, VORTAC and the Pioneer, OK, VORTAC is removed. The unaffected portion of the existing airway remains as charted. All radials listed in the VOR Federal airway descriptions below are unchanged and stated in True degrees.

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. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 of modifying VOR Federal airways V-12, V-74, and V-516, due to the planned decommissioning of the VOR portion of the Anthony, KS, VORTAC NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

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 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

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V-12 [Amended]

From Gaviota, CA; San Marcus, CA; Palmdale, CA; 38 miles, 6 miles wide, Hector, CA; 12 miles, 38 miles, 85 MSL, 14 miles, 75 MSL, Needles, CA; 45 miles, 34 miles, 95 MSL, Drake, AZ; Winslow, AZ; 30 miles, 85 MSL, Zuni, NM; Albuquerque, NM; Otto, NM; Anton Chico, NM; Tucumcari, NM; Panhandle, TX; to Mitbee, OK. From Wichita, KS; Emporia, KS; INT Emporia 063° and Napoleon, MO, 243° radials; Napoleon; INT Napoleon 095° and Columbia, MO, 292° radials; Columbia; Foristell, MO; Troy, IL; Bible Grove, IL; to Shelbyville, IN. From Allegheny, PA; Johnstown, PA; Harrisburg, PA; INT Harrisburg 092° and Pottstown, PA, 278° radials; to Pottstown.

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V-74 [Amended]

From Garden City, KS; to Dodge City, KS. From Pioneer, OK; Tulsa, OK; Fort Smith, AR; 6 miles, 7 miles wide (4 miles north and 3 miles south of centerline) Little Rock, AR; Pine Bluff, AR; Greenville, MS; to Magnolia, MS.

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V-516 [Amended]

From Pioneer, OK; to Oswego, KS.

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Issued in Washington, DC, on February 22, 2021.

George Gonzalez,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021-03879 Filed 2-26-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2020-0942; Airspace Docket No. 20-AWP-12]

RIN 2120-AA66

Amendment of Class D and Class E Airspace; Palmdale, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the Class E airspace, designated as an extension to a Class D or Class E surface area, at

Palmdale USAF Plant 42 Airport. This action also modifies the Class E airspace, extending upward from 700 feet above the surface. Additionally, this action removes the Class E airspace, extending upward from 1,200 feet above the surface. Further, this action removes the Palmdale VORTAC from the Class E4 and the Class E5 legal descriptions. Also, this action removes the Lancaster, Gen. William J. Fox Airfield, CA, from the Class E5 legal description. Lastly, this action implements several administrative corrections to the Class D, Class E4, and Class E5 text headers and legal descriptions.

DATES: Effective 0901 UTC, June 17, 2021. 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 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://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 FAA Order 7400.11E at NARA, email fedreg.legal@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT:

Matthew Van Der Wal, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231-3695.

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 modifies the Class D and Class E airspace at Palmdale

USAF Plant 42 Airport Palmdale, CA, to ensure the safety and management of Instrument Flight Rules (IFR) operations at the airport.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (85 FR 72610, November 13, 2020) for Docket No. FAA-2020-0942 to modify Class D and Class E airspace, Palmdale USAF Plant 42 Airport Palmdale, 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 D, E4, and E5 airspace designations are published in paragraphs 5000, 6004, and 6005, respectively, of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designation 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to 14 CFR part 71 modifies the Class E airspace, designated as an extension to a Class D or Class E surface area, at Palmdale USAF Plant 42 Airport, Palmdale, CA. This airspace area is designed to contain IFR aircraft descending below 1,000 feet above the surface and is described as follows: That airspace extending upward from the surface within 1 mile each side of the 270° bearing from the airport, extending from the 4.3-mile radius to 7.5 miles west of Palmdale USAF Plant 42 Airport. This Class E 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 Chart Supplement.

This action also modifies the Class E airspace, extending upward from 700 feet above the surface. This airspace area is designed to contain IFR arrivals descending below 1,500 feet above the surface and IFR departures until

reaching 1,200 feet above the surface. This airspace area is described as follows: That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the airport, and within 6.1 miles each side of the 080° bearing from the airport, extending from the 6.8-mile radius to 12.9 miles east of the airport, and within 4 miles north and 8 miles south of the 086° bearing from the airport, extending from the airport to 14.3 miles east of the airport, and within 2 miles each side of the 274° bearing from the airport, extending from the 6.8-mile radius to 13.4 miles west of Palmdale USAF Plant 42 Airport.

Additionally, this action removes the Class E airspace, extending upward from 1,200 feet above the surface. This airspace area is wholly contained within the Los Angeles en route airspace area and duplication is not necessary.

Further, this action removes the Palmdale VORTAC from the Class E4 and the Class E5 legal descriptions. Removal of the navigational aid allows the airspace to be defined from a single reference point, simplifying how the airspace is described.

Also, this action removes the Lancaster, Gen. William J. Fox Airfield, CA, from the Class E5 legal description. Removal of the airport allows the airspace to be defined from a single reference point, simplifying how the airspace is described.

Lastly, this action implements several administrative corrections to the airspaces' legal descriptions. The airport name in the second line of the Class D, Class E4, and Class E5 text header is updated to "Palmdale USAF Plant 42 Airport, CA." The last sentence in the Class D and Class E4 legal descriptions is updated to replace the term "Airport/Facilities Directory." with the term "Chart Supplement."

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

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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would 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.

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(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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 5000 Class D Airspace.

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AWP CA D Palmdale, CA [Amended]

Palmdale USAF Plant 42 Airport, CA
(Lat. 34°37'46" N, long. 118°05'04" W)

That airspace extending upward from the surface to and including 5,000 feet MSL within a 4.3-mile radius of Palmdale USAF Plant 42 Airport. 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 Chart Supplement.

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

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AWP CA E4 Palmdale, CA [Amended]

Palmdale USAF Plant 42 Airport, CA
(Lat. 34°37'46" N, long. 118°05'04" W)

That airspace extending upward from the surface within 1 mile each side of the 270° bearing from the airport, extending from the 4.3-mile radius to 7.5 miles west of Palmdale USAF Plant 42 Airport. This Class E 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 Chart Supplement.

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

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AWP CA E5 Palmdale, CA [Amended]

Palmdale USAF Plant 42 Airport, CA
(Lat. 34°37'46" N, long. 118°05'04" W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the airport, and within 6.1 miles each side of the 080° bearing from the airport, extending from the 6.8-mile radius to 12.9 miles east of the airport, and within 4 miles north and 8 miles south of the 086° bearing from the airport, extending from the airport to 14.3 miles east of the airport, and within 2 miles each side of the 274° bearing from the airport, extending from the 6.8-mile radius to 13.4 miles west of Palmdale USAF Plant 42 Airport.

Issued in Seattle, Washington, on February 16, 2021.

B.G. Chew,

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

[FR Doc. 2021–03904 Filed 2–26–21; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–716]

Schedules of Controlled Substances: Temporary Placement of Brorphine in Schedule I

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Temporary amendment; temporary scheduling order.

SUMMARY: The Acting Administrator of the Drug Enforcement Administration is issuing this temporary order to schedule 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one (commonly known as brorphine), including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible, in schedule I of the Controlled

Substances Act. This action is based on a finding by the Acting Administrator that the placement of brorphine in schedule I of the Controlled Substances Act is necessary to avoid an imminent hazard to the public safety. As a result of this order, the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances will be imposed on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis with, or possess), or propose to handle brorphine.

DATES: This temporary scheduling order is effective March 1, 2021, until March 1, 2023. If this order is extended or made permanent, DEA will publish a document in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Terrence L. Boos, Drug and Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrisette Drive, Springfield, Virginia 22152; Telephone: (571) 362–3249.

SUPPLEMENTARY INFORMATION:

Legal Authority

The Controlled Substances Act (CSA) provides the Attorney General (as delegated to the Administrator of Drug Enforcement Administration (DEA) pursuant to 28 CFR 0.100) with the authority to temporarily place a substance in schedule I of the CSA for two years without regard to the requirements of 21 U.S.C. 811(b), if he finds that such action is necessary to avoid an imminent hazard to the public safety. 21 U.S.C. 811(h)(1). In addition, if proceedings to control a substance are initiated under 21 U.S.C. 811(a)(1) while the substance is temporarily controlled¹ under section 811(h), the Administrator may extend the temporary scheduling for up to one year. 21 U.S.C. 811(h)(2).

Where the necessary findings are made, a substance may be temporarily scheduled if it is not listed in any other schedule under 21 U.S.C. 812, or if there is no exemption or approval in effect for the substance under section 505 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 355. 21 U.S.C. 811(h)(1); 21 CFR part 1308.

Background

The CSA requires the Administrator to notify the Secretary of the

¹ Though DEA has used the term "final order" with respect to temporary scheduling orders in the past, this document adheres to the statutory language of 21 U.S.C. 811(h), which refers to a "temporary scheduling order." No substantive change is intended.