

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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F,

“Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

#### 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 proposes to amend 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:

MOMAR, CA	FIX	(Lat. 33°30'54.13" N, long. 115°56'40.14" W)
LVELL, CA	WP	(Lat. 34°12'37.38" N, long. 115°36'53.25" W)
BLKWL, CA	WP	(Lat. 34°22'01.06" N, long. 115°29'56.81" W)
ZELMA, CA	WP	(Lat. 34°46'59.99" N, long. 115°19'47.51" W)
KRLIE, CA	WP	(Lat. 35°08'24.42" N, long. 115°13'59.57" W)
HAKMN, NV	WP	(Lat. 35°30'28.31" N, long. 115°04'47.04" W)
LAKRR, NV	WP	(Lat. 36°05'07.72" N, long. 114°17'09.16" W)
GUNTR, AZ	WP	(Lat. 36°24'39.65" N, long. 114°02'11.55" W)
ZAINY, AZ	WP	(Lat. 36°39'24.73" N, long. 113°54'03.50" W)
EEVUN, UT	WP	(Lat. 37°02'52.90" N, long. 113°42'42.56" W)
WINEN, UT	WP	(Lat. 37°56'00.00" N, long. 113°30'00.00" W)
CRITO, NV	WP	(Lat. 39°18'00.00" N, long. 114°33'00.00" W)
BROPH, ID	WP	(Lat. 42°43'15.71" N, long. 114°52'31.80" W)
DERSO, ID	WP	(Lat. 43°21'42.63" N, long. 115°08'01.66" W)
ZATIP, ID	WP	(Lat. 46°13'17.48" N, long. 116°31'37.57" W)
CORDU, ID	FIX	(Lat. 48°10'46.41" N, long. 116°40'21.84" W)

**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 2006 United States Area Navigation Routes.*

\* \* \* \* \*

Q-73 MOMAR, CA to CORDU, ID [Amended]

\* \* \* \* \*

Issued in Washington, DC, on August 30, 2021.

**George Gonzalez,**

*Acting Manager, Rules and Regulations Group.*

[FR Doc. 2021–19321 Filed 9–8–21; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 73

[Docket No. FDA–2021–C–0925]

#### Fermentalg; Filing of Color Additive Petition

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

**ACTION:** Notification of petition.

**SUMMARY:** The Food and Drug Administration (FDA or we) is announcing that we have filed a petition, submitted by Fermentalg, proposing that the color additive

regulations be amended to provide for the safe use of blue *Galdieria* extract, derived from unicellular red algae (*Galdieria sulphuraria*), as a color additive in various food categories at levels consistent with good manufacturing practice.

**DATES:** The color additive petition was filed on July 27, 2021.

**ADDRESSES:** For access to the docket to read background documents or comments received, go to <https://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 Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Stephanie A. Hice, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 301–348–1740.

**SUPPLEMENTARY INFORMATION:** Under section 721(d)(1) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379e(d)(1)), we are giving notice that we have filed a color additive petition (CAP 1C0320), submitted by Fermentalg, 4

Rue Rivière, 33500 Libourne, France. The petition proposes to amend the color additive regulations in part 73 (21 CFR 73), “Listing of Color Additives Exempt from Certification,” to provide for the safe use of blue *Galdieria* extract as a color additive at levels consistent with good manufacturing practice in: (1) Beverages and beverage bases, non-alcoholic; (2) breakfast cereals; (3) chewing gum; (4) confections and frostings; (5) dairy product analogs; (6) frozen dairy desserts and mixes; (7) fruit and water ices; (8) gelatins, puddings, and fillings; (9) hard candy and cough drops; (10) milk products; (11) processed fruits and fruit juices; (12) processed vegetables and vegetable juices; and (13) soft candy.

The petitioner has claimed that this action is categorically excluded under 21 CFR 25.32(r) because the substance occurs naturally in the environment, and the proposed action does not alter significantly the concentration or distribution of the substance, its metabolites, or degradation products in the environment. In addition, the petitioner has stated that, to their knowledge, no extraordinary

circumstances exist that would warrant at least an environmental assessment (see 21 CFR 25.21). If FDA determines a categorical exclusion applies, neither an environmental assessment nor an environmental impact statement is required. If FDA determines a categorical exclusion does not apply, we will request an environmental assessment and make it available for public inspection.

Dated: September 2, 2021.

**Lauren K. Roth,**

*Acting Principal Associate Commissioner for Policy.*

[FR Doc. 2021-19405 Filed 9-8-21; 8:45 am]

**BILLING CODE 4164-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 172

[Docket No. FDA-2021-F-0926]

#### Monaghan Mushrooms Ireland Unlimited Company; Filing of Food Additive Petition

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

**ACTION:** Notification of petition.

**SUMMARY:** The Food and Drug Administration (FDA or we) is announcing that we have filed a petition, submitted by Monaghan Mushrooms Ireland Unlimited Company, proposing that the food additive regulations be amended to provide for the safe use of vitamin D<sub>2</sub> mushroom powder produced by exposing dried and powdered edible cultivars of *Agaricus bisporus* to ultraviolet light.

**DATES:** The food additive petition was filed on June 8, 2021.

**ADDRESSES:** For access to the docket to read background documents or comments received, go to <https://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 Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Katie Overbey, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-7536.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (section 409(b)(5) (21 U.S.C. 348(b)(5)), we are giving notice that we have filed

a food additive petition (FAP 1A4828), submitted by Monaghan Mushrooms Ireland Unlimited Company, Tullygony, Tyholland, County Monaghan, H18 FW95, Ireland. The petition proposes to amend the food additive regulations in § 172.382 (21 CFR 172.382) *Vitamin D<sub>2</sub> mushroom powder* to provide for the safe use of vitamin D<sub>2</sub> mushroom powder produced by exposing dried and powdered edible cultivars of *Agaricus bisporus* to ultraviolet light.

The petitioner has claimed that this action is categorically excluded under 21 CFR 25.32(k) because the substance is intended to remain in food through ingestion by consumers and is not intended to replace macronutrients in food. In addition, the petitioner has stated that, to their knowledge, no extraordinary circumstances exist that would warrant at least an environmental assessment (see 21 CFR 25.21). If FDA determines a categorical exclusion applies, neither an environmental assessment nor an environmental impact statement is required. If FDA determines a categorical exclusion does not apply, we will request an environmental assessment and make it available for public inspection.

Dated: September 2, 2021.

**Lauren K. Roth,**

*Acting Principal Associate Commissioner for Policy.*

[FR Doc. 2021-19409 Filed 9-8-21; 8:45 am]

**BILLING CODE 4164-01-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Parts 56, 57 and 77

[Docket No. MSHA-2018-0016]

RIN 1219-AB91

#### Safety Program for Surface Mobile Equipment

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) is proposing to require that mine operators employing six or more miners develop and implement a written safety program for mobile and powered haulage equipment (excluding belt conveyors) at surface mines and surface areas of underground mines. The written safety program would include actions mine operators would take to identify hazards and risks to reduce accidents, injuries, and fatalities related to surface mobile

equipment. The proposal would offer mine operators flexibility to devise a safety program that is appropriate for their specific mining conditions and operations.

**DATES:** Comments must be received or postmarked by midnight Eastern Time on November 8, 2021.

**ADDRESSES:** Submit comments and informational materials, identified by RIN 1219-AB91 or Docket No. MSHA-2018-0016 by one of the following methods:

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

- *Email:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov).

- *Mail:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452.

- *Hand Delivery or Courier:* 201 12th Street South, Suite 4E401, Arlington, Virginia, between 9:00 a.m. and 5:00 p.m. Monday through Friday, except federal holidays. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

- *Fax:* 202-693-9441.

*Instructions:* All submissions must include RIN 1219-AB91 or Docket No. MSHA 2018-0016. Do not include personal or proprietary information that you do not wish to disclose publicly. If a commenter marks parts of a comment as "business confidential" information, MSHA will not post those parts of the comment. Otherwise, MSHA will post all comments without change, including personal information.

*Docket:* For access to the docket to read comments and background documents, go to <http://www.regulations.gov>. The docket can also be reviewed in person at MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Arlington, Virginia, between 9:00 a.m. and 5:00 p.m. Monday through Friday, except federal holidays. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

*Email Notification:* To subscribe to receive an email notification when MSHA publishes rulemaking documents in the **Federal Register**, go to <https://public.govdelivery.com/accounts/USDOL/subscribe/new>.

*Information Collection Requirements:* Comments concerning the information collection requirements of this proposal