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 would establish Class E airspace extending upward from 700 feet above ground level to support IFR operations at Rogers Field, Chester, CA.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (86 FR 43456; August 9, 2021) for Docket No. FAA–2021–0557 to establish Class E airspace at Rogers Field, Chester, CA. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment in support of the action was received.

Class E airspace designations are published in paragraphs 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F 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 establishing Class E airspace extending upward from 700 feet above the surface of the earth at Rogers Field, Chester, CA.

The Class E airspace will be established extending upward from 700 feet above ground level (AGL) within a 4-mile radius of the airport. In addition, airspace extending upward from 700 feet AGL will be established within an area 2 miles each side of the approach course to runway 34, extending 3.3 miles south from the 4-mile radius parallel to the extended center line of runway 16, then proceeding southeast 7 miles on a course of 131°. This will form a dog leg that provides controlled airspace for aircraft as they descend below 1500 feet AGL on approach to runway 34. The airspace extending upward from 700 feet AGL will also include an area 2 miles each side of the 330° bearing from the airport extending from the 4-mile radius northwest to 5.5 miles from the airport. This area will provide controlled airspace for the departure and missed approach procedures.

FAA Order JO 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 the 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 JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

AWP CA E5 Chester, CA [NEW]

Rogers Field Airport, CA
(Lat. 40°16′57″ N, long. 121°14′28″ W)

That airspace extending upward from 700 feet within a 4-mile radius of the airport and that area bounded by a line beginning at the point the 202° bearing intersects the 4-mile radius to lat. 40°08′35.96″ N, long. 121°15′41.59″ W; to lat. 40°3′58.22″ N, long. 121°08′45.53″ W; to lat. 40°07′0.09″ N, long. 121°05′18.56″ W; to lat. 40°10′9.68″ N, long. 121°9′57.89″ W; to lat. 40°11′32.19″ N, long. 121°10′51.97″ W; to the point the 144° bearing intersects the 4-mile radius thence clockwise along the 4-mile radius to the point of beginning, and that airspace 2 miles each side of the 330° bearing extending from the 4-mile radius to 5.5 miles northwest of the airport.

Issued in Des Moines, Washington, on November 30, 2021.

B.G. Chew,

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

[FR Doc. 2021–26481 Filed 12–7–21; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Part 306

RIN 3084–AB39

Automotive Fuel Ratings, Certification and Posting

AGENCY: Federal Trade Commission.

ACTION: Final rule; conforming amendment.

SUMMARY: The Federal Trade Commission (''FTC'' or ''Commission'') is updating a reference in its rule for Automotive Fuel Ratings, Certification and Posting (''Fuel Rating Rule'' or ''Rule'') to reflect the Environmental Protection Agency's (''EPA'') recent

reorganization of its fuel-related regulations.

DATES: These rule revisions are effective on December 8, 2021.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome (202–326–2889), Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Room CC–9528, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Conforming Amendment

Recently, EPA issued amendments streamlining its fuel quality regulations (85 FR 78412 (Dec. 4, 2020)). As part of this process, EPA transferred regulations that are cross-referenced in the FTC's Fuel Rating Rule from 40 CFR part 80 to a new 40 CFR part 1090. To conform to these changes, the FTC amends § 306.10 of its Fuel Rating Rule to update a reference to EPA's ethanol labeling requirements in paragraph (a). Specifically, in 16 CFR 306.10(a), the amendment removes the reference to 40 CFR 80.1501 and adds, in its place, a reference to 40 CFR 1090.1510 (the new location of those same EPA requirements).

II. Procedural Requirements

There is good cause for adopting this final rule without advance public notice or an opportunity for public comment.[1] The amendment published in this document merely updates a cross reference to an EPA fuel quality rule referenced in the Commission's Rule. This minor technical revision does not change any substantive obligations under the Rule or create new requirements. In addition, under the Administrative Procedure Act, a final rule may be made effective without 30 days advance publication in the **Federal Register** if an agency finds good cause. Prompt adoption of this amendment is necessary to avoid confusion by updating the Rule's reference to EPA's ethanol labeling requirement. Therefore, this final rule is effective upon publication in the **Federal Register**.

The Office of Management and Budget (''OMB'') has approved the information collections contained in the Rule through September 30, 2023 (OMB Control No. 3084–0068). Since this amendment only updates a cross-reference to existing EPA requirements, it does not change the Rule's information collection requirements and does not require further OMB clearance. The requirements of the Regulatory Flexibility Act also do not apply.[2]

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this rule as not a ''major rule,'' as defined by 5 U.S.C. 804(2).

List of Subjects in 16 CFR Part 306

Fuel, Fuel ratings, Gasoline, Trade practices.

For the reasons discussed in the preamble, the Federal Trade Commission amends part 306 of Title 16 of the Code of Federal Regulations as follows:

PART 306—AUTOMOTIVE FUEL RATINGS, CERTIFICATION AND POSTING

■ 1. The authority citation for part 306 continues to read as follows:

Authority: 15 U.S.C. 2801 *et seq.;* 42 U.S.C. 17021.

§ 306.10 [Amended]

■ 2. In § 306.10, in paragraph (a), remove ''40 CFR 80.1501'' and add in its place ''40 CFR 1090.1510''.

April J. Tabor,

Secretary.

[FR Doc. 2021–26558 Filed 12–7–21; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 890

[Docket No. FDA–2021–P–0424]

Medical Devices; Exemption From Premarket Notification: Powered Patient Transport, All Other Powered Patient Transport

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA or Agency) is publishing an order setting forth the final determination of a petition requesting exemption from premarket notification (510(k)) requirements for the generic device type, powered patient transport, all other powered patient transport (product code ILK), classified as class II devices. These devices are motorized devices used to mitigate mobility impairment caused by injury or other disease by moving a person from one location or level to another, such as up and down flights of stairs. These devices do not include motorized three-wheeled vehicles or wheelchairs, and are distinct from the device type, powered patient transport, powered patient stairway chair lifts, which is classified separately within the same regulation (product code PCD). FDA is publishing this order in accordance with procedures established in the Federal Food, Drug, and Cosmetic Act (FD&C Act).

DATES: This order is effective December 8, 2021.

FOR FURTHER INFORMATION CONTACT: Dan Reed, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm.1526, Silver Spring, MD 20993–0002, 240–402–4717.

SUPPLEMENTARY INFORMATION:

I. Statutory Background

Section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and its implementing regulations in part 807, subpart E (21 CFR part 807, subpart E) require persons who propose to begin the introduction or delivery for introduction into interstate commerce for commercial distribution of a device intended for human use to submit a 510(k) to FDA. The device may not be marketed until FDA finds it ''substantially equivalent'' within the meaning of section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a legally marketed device that does not require premarket approval.

On November 21, 1997, the President signed into law the Food and Drug Administration Modernization Act of 1997 (FDAMA) (Pub. L. 105–115), section 206 of which added section 510(m) to the FD&C Act, which was amended on December 13, 2016, by the 21st Century Cures Act (Cures Act) (Pub. L. 114–255). Section 510(m)(1) of the FD&C Act, requires FDA to publish in the **Federal Register** a list of each type of class II device that does not require a report under section 510(k) of the FD&C Act to provide reasonable assurance of safety and effectiveness. Section 510(m) of the FD&C Act further provides that a 510(k) will no longer be required for these devices upon the date of publication of the list in the **Federal Register**. FDA published the required lists in accordance with FDAMA and the Cures Act, in the **Federal Register** of January 21, 1998 (63 FR 3142), and July 11, 2017 (82 FR 31976), respectively.

[1] Notice and comment are not required ''when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(3)(B).

[2] A regulatory flexibility analysis under the RFA is required only when an agency must publish a notice of proposed rulemaking for comment. *See* 5 U.S.C. 603.