

# Rules and Regulations

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 02-AWP-2]

#### Establishment of Class D Surface Area at Indian Springs Air Force Auxiliary Field; Indian Springs, NV

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

**ACTION:** Direct final rule, request for comments.

**SUMMARY:** This action establishes a Class D Surface Area at Indian Springs Air Force Auxiliary Field (INS) located in Indian Springs, NV. A review of airspace classification in the vicinity of the INS airport has resulted in a determination that this action is necessary to enhance aviation safety and support military operational requirements.

**EFFECTIVE DATE:** 0901 UTC March 21, 2002. Comment date: Comments for inclusion in the Rules Docket must be received on or before March 29, 2002.

**ADDRESSES:** Send comments on the direct final rule in triplicate to: Federal Aviation Administration, Attn: Manager, Airspace Branch, AWP-520, Docket No. 02-AWP-2, Air Traffic Division, P.O. Box 92007, Los Angeles, California 90009.

The official docket may be examined in the Office of the Regional Counsel, Western-Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California 90261.

An informal docket may also be examined during normal business hours at the office of the Manager, Airspace Branch, Air Traffic Division at the above address.

**FOR FURTHER INFORMATION CONTACT:** Jeri Carson, Air Traffic Division, Airspace

Specialist, AWP-520, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6611.

**SUPPLEMENTARY INFORMATION:** This action establishes a Class D airspace at Indian Springs Air Force Auxiliary Field, NV. Class D airspace designations are published in Paragraph 5000 of FAA Order 7400.9J dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class D airspace established in this document will be published subsequently in that Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and therefore is issuing it as a direct final rule. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is

extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 02-AWP-2." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted therein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, 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 will only affect air traffic procedures and air navigation, it is certified that this rule will 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).

#### 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, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; 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 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

\* \* \* \*

*Paragraph 5000. Class D Airspace.*

\* \* \* \*

#### AWP NV D Indian Springs, NV [New]

Indian Springs Air Force Auxiliary Field, NV (Lat. 36°35'14" N, long. 115°40'24" W)

That airspace extending upward from the surface to and including 5,700 feet MSL within a 5-mile radius of Indian Springs Air Force Auxiliary Field, excluding Restricted Area R-4806W. 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 January 30, 2002.

**Steve Lloyd,**

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

[FR Doc. 02–4626 Filed 2–26–02; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 524

#### Ophthalmic and Topical Dosage Form New Animal Drugs; Chlorhexidine Ointment

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

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by First Priority, Inc. The ANADA provides for topical use of chlorhexidine ointment for surface wounds on dogs, cats, and horses.

**DATES:** This rule is effective February 27, 2002.

**FOR FURTHER INFORMATION CONTACT:** Lonnie W. Luther, Center for Veterinary Medicine (HFV–102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–0209.

**SUPPLEMENTARY INFORMATION:** First Priority, Inc., 1585 Todd Farm Dr., Elgin, IL 60123, filed ANADA 200–301 for PRIVASAN (chlorhexidine acetate) Antiseptic Ointment. The application provides for topical use of a 1-percent chlorhexidine acetate ointment for surface wounds on dogs, cats, and horses. First Priority's PRIVASAN Antiseptic Ointment is approved as a generic copy of Ft. Dodge Animal Health's NOLVASAN Antiseptic Ointment, approved under NADA 9–872. ANADA 200–301 is approved as of November 6, 2001, and 21 CFR 524.402 is amended to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.33(a)(1) 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.

This rule does not meet the definition of “rule” in 5 U.S.C. 804(3)(A) because it is a rule of “particular applicability.” Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

#### List of Subjects in 21 CFR Part 524

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 524 is amended as follows:

#### PART 524—OPHTHALMIC AND TOPICAL DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 524 continues to read as follows:

**Authority:** 21 U.S.C. 360b.

2. Section 524.402 is revised to read as follows:

##### § 524.402 Chlorhexidine ointment.

(a) *Specifications.* The product contains 1-percent chlorhexidine acetate in an ointment base.

(b) *Sponsor.* See Nos. 000856 and 058829 in § 510.600(c) of this chapter.

(c) *Conditions of use—(1) Indications for use.* Use as a topical antiseptic ointment for surface wounds on dogs, cats, and horses.

(2) *Limitations.* Not for use in horses intended for food.

Dated: January 30, 2002.

**Stephen F. Sundlof,**

*Director, Center for Veterinary Medicine.*

[FR Doc. 02–4595 Filed 2–26–02; 8:45 am]

**BILLING CODE 4160–01–S**

## DEPARTMENT OF STATE

### 22 CFR Part 194

[Public Notice 3879]

#### Inter-American Convention on International Commercial Arbitration Rules of Procedure

**ACTION:** Final rule.

**SUMMARY:** The Department of State has determined that the amended Rules of Procedure of the Inter-American Commercial Arbitration Commission (“IACAC”) should become effective in the United States pursuant to Chapter III of the Federal Arbitration Act. The amended Rules clarify and enhance the role of IACAC in the initiation and conduct of arbitration of international commercial disputes to which the International Convention on