

(Lat. 39°16'45" N., long. 84°02'02" W.)  
 PRUDE, OH  
 Fix  
 (Lat. 39°25'45" N., long. 83°56'59" W.)  
 Springfield, OH (SGH)  
 VOR/DME  
 (Lat. 39°50'12" N., long. 83°50'42" W.)  
 BONEE, OH  
 Fix  
 (Lat. 40°03'09" N., long. 83°56'56" W.)  
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Issued in Washington, DC on October 19, 2005.

**Edith V. Parish,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 05–21318 Filed 10–25–05; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2005–22100; Airspace  
 Docket No. 05–AEA–16]

#### Amendment of Class E Airspace; Binghamton, NY

**AGENCY:** Federal Aviation  
 Administration [FAA] DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace at Binghamton, NY. The development of multiple area navigation (RNAV) Standard Instrument Approach Procedures (SIAP) for numerous airports within the Binghamton, NY geographical area with approved Instrument Flight Rules (IFR) operations and the resulting overlap of designated Class E–5 airspace have made this action necessary. This action consolidates the Class E–5 airspace designations for five airspace and one heliport and results in the rescission of the five Class E–5 descriptions through separate rulemaking action. The area will be depicted on aeronautical charts for pilot reference.

**EFFECTIVE DATE:** 0901 UTC February 16, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis T. Jordan, Jr., Airspace Specialist, Airspace and Operations, ETSU, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434–4809, telephone: (718) 553–4521.

#### SUPPLEMENTARY INFORMATION:

#### History

On August 23, 2005, a notice proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by consolidating existing Class E–5 airspace designations in the Binghamton, NY metropolitan area and

incorporating those areas into the Binghamton, NY description was published in the **Federal Register** (70 FR 49221–49222). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace area designations for airspace extending upward from the surface are published in paragraph 6005 of FAA Order 7400.9N, dated September 1, 2005 and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be amended in the order.

#### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) provides controlled Class E airspace extending upward from 700 ft above the surface for aircraft conducting IFR operations within the Binghamton, NY Class E–5 airspace description. The amendment consolidates the Class E–5 airspace descriptions for Cortland, NY; Elmira, NY; Ithaca, NY; Endicott, NY; and Sayre, PA, into one airspace designation for Binghamton, NY, and the designations for those areas will be removed by separate rulemaking.

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. 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 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).

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

## Adoption of the Amendment

### PART 71—[AMENDED]

■ 1. The authority citation for 14 CFR 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 16, 2005, is amended as follows:

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

\* \* \* \* \*

#### AEA NY E5 Binghamton, NY (Revised)

The airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at lat. 41°53'35" N., long. 75°56'07" W., to lat. 41°52'45" N., long. 76°55'49" W., to lat. 42°10'28" N., long. 77°10'21" W., to lat. 42°45'20" N., long. 76°39'27" W., to lat. 42°43'45" N., long. 76°07'32" W., to lat. 42°15'10" N., long. 75°40'40" W., to the point of beginning, excluding that portion that coincides with the Towanda, PA Class E airspace area.

\* \* \* \* \*

Issued in Jamaica, New York, on October 11, 2005.

**John G. McCartney,**

*Acting Area Director, Eastern Terminal Operations.*

[FR Doc. 05–21320 Filed 10–25–05; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2005–22494; Airspace  
 Docket No. 05–AEA–22]

#### Amendment of Class E Airspace; Cortland, NY; Ithaca, NY; Elmira, NY; Endicott, NY; Sayre, PA

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

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

**SUMMARY:** This action removes the description of the Class E airspace designated for Cortland, NY, Cortland County-Chase Field Airport (N03); Ithaca, NY, Tompkins County Airport (ITH); Elmira, NY, Elmira/Corning Regional Airport (ELM); Endicott, NY, Tri-Cities Airport (CZG); and Sayre, PA,

Robert Parker Hospital Heliport. The affected Class E–5 airspace for the airports included in these descriptions will be consolidated into the amended Binghamton, NY airspace description contained in Docket No. FAA–2005–22100, Airspace Docket No. 05–AEA–16, effective February 16, 2006.

**DATES:** Effective date: February 16, 2006.

**Comment Date:** Comments must be received on or before November 25, 2005.

**ADDRESSES:** Send comments on the rule to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590–0001. You must identify the docket number FAA–2005–22494; Airspace Docket No. 05–AEA–22 at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the rule, any comments received, and any final disposition in person in the Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1–800–647–5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Area Director, Eastern Terminal Operations, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, NY 11434–4890.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis T. Jordan, Jr., Airspace Specialist, Airspace and Operations, ETSU, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, NY 11434–4809, telephone: (718) 553–4521.

#### **SUPPLEMENTARY INFORMATION:**

Although this action is a final rule, which involves the amendment of Class E airspace surrounding Binghamton, NY, by consolidating that airspace into one description, and was not preceded by notice and public procedure, comments are invited on the rule. This rule will become effective on the date specified in the **DATES** section. However, after the review of any comments, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-

related aspects of the rule which might suggest the need to modify the rule.

#### **The Rule**

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) amends the description of Class E airspace in the Binghamton, NY area by removing the airspace designations for Cortland, NY, Cortland County–Chase Field Airport (N03); Ithaca, NY, Tompkins County Airport (ITH); Elmira, NY, Elmira/Corning Regional Airport (ELM); Endicott, NY, Tri-Cities Airport (CZG); and Sayre, PA, Robert Parker Hospital Heliport. It consolidates those airspace areas into the amended Binghamton, NY description. The proliferation of airports with Instrument Flight Rule (IFR) operations within the Binghamton, NY geographic area has resulted in the overlap of numerous Class E airspace areas that complicate the chart depictions.

This action clarifies the airspace and diminishes the scope and complexity of charting. The IFR airports within those areas will be incorporated into the Binghamton, NY Class E airspace area. Accordingly, since this action merely consolidates these airspace areas into one airspace designation and has inconsequential impact on aircraft operations in the area, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Class E airspace designations for airspace extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9N, dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order. 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. Therefore, this regulation 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 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, Incorporated 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—[AMENDED]**

■ 1. The authority citation for 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 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005 and effective September 16, 2005, is amended as follows:

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

\* \* \* \* \*

AEA NY E5 Cortland, NY [Removed]

AEA NY E5 Ithaca, NY [Removed]

AEA NY E5 Elmira, NY [Removed]

AEA NY E5 Endicott, NY [Removed]

AEA PA E5 Sayre, PA [Removed]

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Issued in Jamaica, New York on October 11, 2005.

**John G. McCartney,**

*Acting Area Director, Eastern Terminal Operations.*

[FR Doc. 05–21321 Filed 10–25–05; 8:45 am]

**BILLING CODE 4910–13–M**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 866**

[Docket No. 2005P–0397]

#### **Medical Devices; Immunology and Microbiology Devices; Classification of Cystic Fibrosis Transmembrane Conductance Regulator Gene Mutation Detection System**

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

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is classifying the cystic fibrosis transmembrane conductance regulator (CFTR) gene