

## Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the System Management Branch, AAL-530, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

## The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace designated as the surface area for Ketchikan International Airport, Ketchikan, AK. The Ketchikan International Airport's surface area is currently effective 24 hours a day and has mandatory communication requirements. The wording in the last two sentences of the current description are for surface areas with less than 24 hour operations. These last two sentences will be deleted. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as surface areas are published in paragraph 6002 of FAA Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The intended effect of this proposal is to modify the Ketchikan, AK, surface area description to indicate continuous, 24 hour operation. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that these proposed regulations only involve 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 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, 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).

## The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

### PART 71—[AMENDED]

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

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

\* \* \* \* \*

*Paragraph 6002 Class E airspace areas listed below are designated as a surface area for an airport.*

\* \* \* \* \*

#### AAL AK E2 Ketchikan, AK

Ketchikan International Airport, Ketchikan, AK

(lat. 55°21'20" N, long. 131°42'49" W)

Ketchikan Localizer

(lat. 55°20' 51" N, long. 131°42' 00" W)

Within a 3-mile radius of the Ketchikan International Airport and within 1 mile each side of the Ketchikan localizer northwest/southeast courses extending from the 3-mile radius to 4.6 miles northwest and 4.1 miles southeast of the airport.

\* \* \* \* \*

Issued in Anchorage, AK, on June 3, 1997.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

[FR Doc. 97-15309 Filed 6-10-97; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 97-AAL-7]

#### Proposed Establishment of Class E Airspace; Huslia, AK

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action establishes Class E airspace at Huslia, AK. The development of Very High Frequency (VHF) omni-directional radio range (VOR) and VOR/Distance Measuring Equipment (DME) instrument approaches to RWY 3 and RWY 21 have made this action necessary. This action will change the airport status from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR). The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. The intended effect of this proposal is to provide adequate controlled airspace for IFR operations, segregating aircraft using instrument conditions from other aircraft operating in visual weather conditions, at Huslia Airport, AK.

**DATES:** Comments must be received on or before July 28, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, System Management Branch, AAL-530, Docket No. 97-AAL-7, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Alaskan Region at the same address.

An informal docket may also be examined during normal business hours in the Office of the Manager, System Management Branch, Air Traffic Division, at the address shown above and on the Internet at the Alaskan Region's homepage at <http://www.alaska.faa.gov/at>.

**FOR FURTHER INFORMATION CONTACT:** Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number: (907) 271-5863; email: [Robert.van.Haastert@faa.dot.gov](mailto:Robert.van.Haastert@faa.dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address

listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 97-AAL-7." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the System Management Branch, Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

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#### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace to accommodate aircraft executing the VOR instrument approach procedures at Huslia, AK. Controlled airspace extending upward from 700 to 1200 feet above the ground (AGL) is needed to contain aircraft executing the approach. This action will change the airport status from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR). The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The intended effect of this proposal is to provide adequate controlled airspace for IFR

operations, segregating aircraft using instrument conditions from other aircraft operating in visual weather conditions, at Huslia Airport, AK. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that these proposed regulations only involve 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 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, 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

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#### PART 71—[AMENDED]

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##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

#### AAL AK E5 Huslia, AK

Huslia Airport, AK  
(Lat. 65° 41' 50" N, long. 156° 23' 21" W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Huslia Airport.

\* \* \* \* \*

Issued in Anchorage, AK, on June 3, 1997.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

[FR Doc. 97-15308 Filed 6-10-97; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 878

[Docket No. 97N-0199]

#### General and Plastic Surgery Devices: Reclassification of the Tweezer-Type Epilator

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

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA) is proposing to reclassify the tweezer-type epilator from class III to class I when intended to remove hair. FDA also proposes to exempt this device from the premarket notification requirements. This reclassification is being proposed on the Secretary of Health and Human Services' own initiative based on new information. This action is being taken under the Federal Food, Drug, and Cosmetic Act (the act), as amended by the Medical Device Amendments of 1976 (the 1976 amendments) and the Safe Medical Devices Act of 1990 (the SMDA).

**DATES:** Written comments by September 9, 1997. FDA proposes that any final regulation based on this proposal become effective 30 days after date of publication in the **Federal Register**.

**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Stephen P. Rhodes, Center for Devices and Radiological Health (HFZ-410), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301-594-3090.

#### SUPPLEMENTARY INFORMATION:

##### I. Regulatory Authorities

The act, as amended by the 1976 amendments (Pub. L. 94-295) and the SMDA (Pub. L. 101-629), established a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the