

presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, 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 action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 02-AEA-07." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with the FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

Any person may obtain a copy of this notice of Proposed Rulemaking (NPRM) by submitting a request to the Office of the Regional Counsel, AEA-7, Eastern Region, 1 Aviation Plaza, Jamaica, NY 11434-4809. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs 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 amend the Class E airspace area at Seneca Falls, NY. An amendment to a SIAP based on the GPS and a change in the airport reference point have made this action necessary. The airspace will be defined to accommodate the approach and contain IFR operations to the airport. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 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 E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 would only affect air traffic procedures and air navigation, it is certified that this proposed rule would 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).

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 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 Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is proposed to be amended as follows:

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

* * * * *

AEA NY E5 Seneca Falls, NY [Revised]

Finger Lakes Regional Airport
(Lat. 42°52'50" N., long. 76°46'55" W.)

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of Finger Lakes Regional Airport.

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Issued in Jamaica, New York, on July 1, 2002.

F.D. Hatfield,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 02-17577 Filed 7-16-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 872

[Docket No. 01N-0067]

Dental Devices: Classification of Encapsulated Amalgam Alloy and Dental Mercury and Reclassification of Dental Mercury; Issuance of Special Controls for Amalgam Alloy; Reopening of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: The Food and Drug Administration (FDA) is reopening for 60 days the comment period for the proposed rule on the classification of encapsulated amalgam alloy and dental mercury, the reclassification of dental mercury, and the issuance of special controls for amalgam alloy. The proposed rule was published in the **Federal Register** of February 20, 2002 (67 FR 7620). The agency is taking this action in response to a request for an extension. The comment period for this information closed on May 21, 2002. Elsewhere in this issue of the **Federal Register**, FDA is reopening for 60 days the comment period on the draft guidance entitled "Special Control Guidance Document on Encapsulated Amalgam, Amalgam Alloy, and Dental Mercury Labeling."

DATES: Submit written or electronic comments on the proposed rule by September 16, 2002.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>.

FOR FURTHER INFORMATION CONTACT: Susan Runner, Center for Devices and Radiological Health (HFZ-410), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301-827-5283.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of February 20, 2002 (67 FR 7620), FDA published a proposed rule entitled "Dental Devices: Classification of Encapsulated Amalgam Alloy and Dental Mercury and Reclassification of Dental Mercury; Issuance of Special Controls for Amalgam Alloy."

FDA received an electronic request dated May 20, 2002, requesting that the agency extend the comment period on the proposed rule for 60 days, noting the importance of public health issues involved and explaining that there were apparently technical difficulties with the submission of electronic comments. FDA has determined that it is appropriate to grant this request.

II. Comments

You may submit to the Dockets Management Branch (see **ADDRESSES**) written or electronic comments on classification, reclassification, and special controls for dental amalgam products by September 16, 2002. You must submit two copies of any comments. Individuals may submit one copy. You must identify comments with the docket number found in brackets in the heading of this document. Received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: July 5, 2002.

Linda S. Kahan,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 02-17960 Filed 7-16-02; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Parts 250 and 251

RIN 1010-AC81

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Geological and Geophysical (G&G) Explorations of the Outer Continental Shelf—Proprietary Terms and Data Disclosure

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: This rule proposes to modify the start date for the 50-year proprietary term for geophysical data, and the start date for the 25-year proprietary term for geophysical information that MMS acquires pursuant to a permit issued under 30 CFR part 251. We propose to change the start of the proprietary terms from the date the data and information are submitted to the date the permit is issued. Although the lengths of the proprietary terms do not change, the net result is the total length of time that geophysical data and information, selected and retained by MMS, are held by MMS before public release will be less than under current practice.

In addition, the rule would clarify that geological data and information, acquired under part 251 and submitted to MMS under part 250, retain proprietary terms under part 251. The rule also expands language that allows selective inspection of G&G data and information that MMS acquires under parts 250 and 251, and uses for specified purposes, by only those persons with a direct interest in related MMS decisions and issues.

DATES: We will consider all comments received by September 16, 2002. We will begin reviewing comments then and may not fully consider comments we receive after September 16, 2002.

ADDRESSES: Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Mail Stop 4024; 381 Elden Street; Herndon, Virginia 20170-4817; Attention: Rules Processing Team. If you wish to e-mail comments, the address is: rules.comments@mms.gov. Reference AC-81 G&G in your subject line. Include your name and return address in your message and mark your message for return receipt.

FOR FURTHER INFORMATION CONTACT: George Dellagiario or David Zinzer at (703) 787-1628.

SUPPLEMENTARY INFORMATION: This proposed rule would modify the start date for the proprietary terms for geophysical permit data and information, acquired under part 251, by starting the terms with the date MMS issues the permit. (The proposed rule does not affect the proprietary terms for geophysical data and information related to a deep stratigraphic test.) Currently, the proprietary terms begin when the data and information are submitted to MMS. This change would conform with geological permit data and information whose proprietary terms begin with the date MMS issues the permit. This modification is necessary because MMS may select geophysical data and information numerous times from a single permit.

Current regulations establish a separate release date for each submission of geophysical data or information because the start of the proprietary term occurs with each submission to MMS. This results in complicated and burdensome recordkeeping for submitted data or information over a period of 50 or 25 years (respectively) for each submission. When it is time to release data or information to the public, the dates of submission for the data or information are not readily ascertainable. It also presents confusion to our customers with regard to the separate public

release dates applicable to different parts of data and information obtained under a single permit. Beginning the proprietary term at the time that a permit is issued for all submissions of data or information minimizes such confusion, and aids MMS in managing the release of data and information once the proprietary term expires.

Furthermore, as progressively more data and information are submitted electronically, the specific "date of submission" becomes even more difficult to ascertain. Because we will be acquiring these data and information from a consortium on a continuous basis, it will become difficult if not impossible to identify the start date, based on a date of submission, for the proprietary terms. The only readily identifiable date available is the date the permit was issued.

To relieve a substantial administrative recordkeeping burden and to exercise proper management of the release of geophysical data and information, we propose to make this change retroactive to the original establishment date of the regulations at 30 CFR part 251, June 11, 1976.

The original 1976 proprietary term for geophysical data acquired under a permit was 10 years after issuance of the permit. For geophysical information acquired under a permit, the proprietary term was 10 years after submission to the (then U.S. Geological Survey) Supervisor. Effective March 17, 1988, the proprietary term for geophysical data was changed to 50 years after the date on which data are submitted, and for geophysical information the proprietary term was changed to 25 years after the date the information is submitted. These are the current terms for geophysical data and information.

Because these changes were made retroactive to June 1976, companies submitting data and information between June 1976 and March 1988 enjoy the benefit of the proprietary terms of their data and information submitted during that timeframe being extended to 50 years and 25 years, respectively.

The 1988 extension of proprietary terms recognized the longer periods that geophysical data and information remain of some commercial value. MMS believes that the proposed modifications still would adequately protect geophysical data and information because the data and information are protected for 50 and 25 years, respectively, after issuance of the permit.

In addition, we propose to clarify that geological data and information, originally acquired under a permit