

invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and E airspace designations are published in paragraph 5000 and 6005, respectively, of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR part 71.1. The Class D and E airspace designations listed in this document will be published subsequently in that Order.

### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class D airspace extending upward from the surface to and including 4,500 feet MSL within a 6-mile radius of Southern California Logistics Airport, Victorville, CA, excluding that airspace within a 1.5-mile radius of Adelanto Airport. This action is necessary for the safety and management of IFR operations. This rule also adjusts the geographic coordinates of Southern California Logistics Airport in Class D and E airspace, and changes the airport name from Southern California International Airport to Southern California Logistics Airport.

The FAA has determined 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 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. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority 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 establishes additional controlled airspace at Southern California Logistics Airport, Victorville, CA.

### 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(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 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

#### AWP CA D Victorville, CA [Modified]

Victorville, Southern California Logistics Airport, CA

(Lat. 34°35'51" N., long. 117°22'59" W.)

Adelanto, Adelanto Airport, CA

(Lat. 34°32'15" N., long. 117°27'38" W.)

That airspace extending upward from the surface to 5,400 feet MSL within a 6-mile radius of the Southern California Logistics Airport, Victorville, CA, excluding that airspace with a 1.5-mile radius of Adelanto Airport, Adelanto, CA. 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.

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

\* \* \* \* \*

#### AWP CA E5 Victorville, CA [Amended]

Southern California Logistics Airport, CA

(Lat. 34°35'51" N., long. 117°22'59" W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Southern California Logistics Airport.

Issued in Seattle, Washington, on May 28, 2010.

**Kevin Nolan,**

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

[FR Doc. 2010–14219 Filed 6–14–10; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Part 766

[Docket No. 100603238–0235–01]

RIN 0694–AE93

### Export Administration Regulations; Technical Amendments

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** In this final rule, the Bureau of Industry and Security (BIS) makes a technical amendment to the Export Administration Regulations (EAR). Specifically, BIS deletes references concerning Federal court jurisdiction for judicial review of final decisions and orders issued in BIS export control administrative enforcement proceedings and in administrative appeals of BIS temporary denial orders. Federal court jurisdiction to review these orders is governed by statute, not by regulation.

**DATES:** *Effective Date:* This rule is effective June 15, 2010

**ADDRESSES:** You may submit comments, identified by RIN 0694–AE93, by any of the following methods:

- *E-mail:* [publiccomments@bis.doc.gov](mailto:publiccomments@bis.doc.gov). Include "RIN 0694–AE93" in the subject line of the message.
- *Fax:* (202) 482–3355. Please alert the Regulatory Policy Division, by calling (202) 482–2440, if you are faxing comments.

- *Mail or Hand Delivery/Courier:* Sheila Quarterman, U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th Street & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230, Attn: RIN 0694–AE93.

Send comments regarding the collection of information associated with this rule, including suggestions for reducing the burden to Jasmeet Seehra, Office of Management and Budget (OMB), by e-mail to [Jasmeet\\_K\\_Seehra@omb.eop.gov](mailto:Jasmeet_K_Seehra@omb.eop.gov) or by fax to (202) 395–7285. Comments on this collection of information should be submitted separately from comments on

the final rule (*i.e.*, RIN 0694–AE93)—all comments on the latter should be submitted by one of the three methods outlined above.

**FOR FURTHER INFORMATION CONTACT:**

Sheila Quarterman, Bureau of Industry and Security, Office of Exporter Services, Regulatory Policy Division, by phone at 202–482–2440 or by fax 202–482–3355.

**SUPPLEMENTARY INFORMATION:**

**Background**

In this rule, BIS makes a technical amendment to the Export Administration Regulations (EAR) to remove three references concerning Federal court jurisdiction to review certain BIS enforcement orders. Paragraph (e) of section 766.22 discusses judicial review of a final decision and order by the Under Secretary for Industry and Security in a BIS export control administrative proceeding. Section 766.24 contains two references to judicial review. Paragraph (g) of section 766.24 discusses judicial review of a final decision and order by the Under Secretary concerning the administrative appeal of a temporary denial order issued by the Assistant Secretary for Export Enforcement, and paragraph (e)(5) of the same section includes a reference to paragraph (g). Federal court jurisdiction to review these BIS final orders is governed by statute, not by regulation. BIS is deleting these provisions, which were not promulgated with the intent to create or govern Federal court jurisdiction.

Since August 21, 2001, the Export Administration Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp., p. 783 (2002)), as extended most recently by the Notice of August 13, 2009 (74 FR 41325 (August 14, 2009)), has continued the EAR in effect under the International Emergency Economic Powers Act.

**Rulemaking Requirements**

1. This final rule has been determined to be not significant for the purposes of Executive Order 12866.

2. Notwithstanding any other provisions of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule does not involve a collection of information, and, therefore, does not implicate requirements of the PRA.

3. This rule does not contain policies with Federalism implications as that term is defined under Executive Order 13132.

4. The Department finds that there is good cause under 5 U.S.C. 553(b)(A) and (B) to waive the provisions of the Administrative Procedure Act requiring prior notice and the opportunity for public comment because they are unnecessary. This rule is one of procedure, which is exempted from the notice and comment requirements of the APA. This rule only deletes provisions from Part 766 that discuss federal court jurisdiction, which is an issue governed by statute, not by regulation. Because these revisions are not substantive changes, it is unnecessary to provide notice and opportunity for public comment. In addition, the 30-day delay in effectiveness required by 5 U.S.C. 553(d) is not applicable because this rule is not a substantive rule. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under the Administrative Procedure Act or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Sheila Quarterman, Regulatory Policy Division, Bureau of Industry and Security, U.S. Department of Commerce, 14th Street & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230.

**List of Subjects in 15 CFR Part 766**

Administrative practice and procedure, Confidential business information, Exports, Law enforcement, Penalties.

■ Accordingly, 15 CFR part 766 of the Export Administration Regulations (15 CFR Parts 730–774) is amended as follows:

**PART 766—[AMENDED]**

■ 1. The authority citation for 15 CFR Part 766 continues to read as follows:

**Authority:** 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 13, 2009, 74 FR 41325 (August 14, 2009).

**§ 766.22 [Amended]**

■ 2. In § 766.22, remove paragraph (e).

**§ 766.24 [Amended]**

■ 3. In § 766.24, remove the last sentence from paragraph (e)(5) and remove paragraph (g).

Dated: June 11, 2010.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration.*

[FR Doc. 2010–14525 Filed 6–14–10; 8:45 am]

**BILLING CODE 3510–33–P**

**CONSUMER PRODUCT SAFETY COMMISSION**

**16 CFR Part 1215**

[CPSC Docket No. CPSC–2009–0064]

**Third Party Testing for Certain Children's Products; Infant Bath Seats: Requirements for Accreditation of Third Party Conformity**

**Correction**

In rule document 2010–13080 beginning on page 31688 in the issue of Friday, June 4, 2010 make the following corrections:

1. On page 31689, in the third column, in the first full paragraph, in the fourth and fifth lines, “December 1, 2010” should read “December 6, 2010”.

2. On the same page, in the same column, in the same paragraph, in the 10th and 11th lines, “December 2, 2010” should read “December 7, 2010”.

3. On page 31691, in the first column, in the second line from the top, “December 1, 2010” should read “December 7, 2010”.

[FR Doc. C1–2010–13080 Filed 6–14–10; 8:45 am]

**BILLING CODE 1505–01–D**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Parts 40, 49, and 602**

[TD 9486]

**RIN 1545–BJ41**

**Indoor Tanning Services; Cosmetic Services; Excise Taxes**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final and temporary regulations.

**SUMMARY:** This document contains final and temporary regulations that provide guidance on the indoor tanning services excise tax imposed by the Patient Protection and Affordable Care Act. These final and temporary regulations