

substituting lat. 27°29'31" N., long. 81°05'27" W.

*R-2901K Avon Park, FL [Corrected]*

By removing lat. 27°32'31" N., long. 81°07'29" W., and substituting lat. 27°32'21" N., long. 81°07'23" W.; and by removing lat. 27°29'31" N., long. 81°05'29" W., and substituting lat. 27°29'31" N., long. 81°05'27" W.

*R-2901L Avon Park, FL [Corrected]*

By removing lat. 27°32'31" N., long. 81°07'29" W., and substituting lat. 27°32'21" N., long. 81°07'23" W.; and by removing lat. 27°29'31" N., long. 81°05'29" W., and substituting lat. 27°29'31" N., long. 81°05'27" W.

*R-2901N Avon Park, FL [Corrected]*

By removing lat. 27°32'31" N., long. 81°07'29" W., and substituting lat. 27°32'21" N., long. 81°07'23" W.; and by removing lat. 27°29'31" N., long. 81°05'29" W., and substituting lat. 27°29'31" N., long. 81°05'27" W.

\* \* \* \* \*

Issued in Washington, DC, on July 13, 2010.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. 2010-17945 Filed 7-23-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2007-28633; Airspace Docket No. 07-ASW-7]

RIN 2120-AA66

#### Establishment of Restricted Area R-3405; Sullivan, IN

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Restricted Area R-3405 at Sullivan, IN, to support deep-water electronic, ordnance and pyrotechnics testing by the U.S. Navy. The FAA is taking this action to protect nonparticipating aircraft from a tethered aerostat balloon used to deploy radar, electro-optic, camera, and other sensor packages at Naval Support Activity (NSA) Crane's Glendora Lake Test Facility.

**DATES:** Effective date 0901 UTC, September 23, 2010. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Airspace and Rules

Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### History

On Friday, August 31, 2007, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish restricted Area R-3405 near Sullivan, IN (72 FR 50300). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received. The U.S. Navy lowered the proposed ceiling from 2,000 feet MSL to 1,600 feet MSL after a FAA study found that the proposed establishment of restricted area R-3405, when active, would impact aircraft operations at Sullivan County Airport, located near the test facility. With the exception of editorial changes, and the change described above, this rule is the same as that proposed in the NPRM.

##### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 73 by establishing restricted area R-3405 over an area near Sullivan, IN. This restricted area covers less than 1 square nautical mile and extends from the surface up to and including 1,600 feet MSL, and will ensure flight safety by separating non-participating aircraft from tethered aerostat balloon operations conducted by the NSA Crane Lake Glendora Test Facility.

Section 73.34 of Title 14 CFR part 73 was republished in FAA Order 7400.8S, effective February 16, 2010.

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 Department of Transportation (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.

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 the 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 restricted airspace at Sullivan, IN.

##### Environmental Review

Pursuant to Section 102(2) of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR Parts 1500-1508), and other applicable law, the U.S. Navy prepared and published a Final Environmental Assessment (FEA) in June 2008 that analyzed the potential for environmental impacts associated with the proposed NSA Crane and Naval Surface Warfare Center (NSWC) Glendora Lake Test Facility requirements. In July 2009, the U.S. Navy issued a Finding of No Significant Impact (FONSI) based on the results of the FEA. In accordance with applicable CEQ regulations (40 CFR 1501.6) and the Memorandum of Understanding (MOU) between FAA and Department of Defense (DOD) dated October 2005, the FAA was a cooperating agency on the FEA.

The FAA has conducted an independent review of the FEA and is adopting the FEA for this action pursuant to 40 CFR 1506.3(a) and (c) and has issued an Adoption of FEA and FONSI/Record of Decision (ROD) dated May 2010. This final rule, which establishes restricted area R-3405, will not result in significant environmental impacts. A copy of the FAA Adoption of FEA and FONSI/ROD has been placed in the public docket for this rulemaking.

##### List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

##### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

##### § 73.34 [Amended]

■ 2. § 73.34 is amended as follows:

\* \* \* \* \*

**R-3405 Sullivan, IN [New]**

Boundaries. Beginning at lat. 39°07'41" N., long. 87°22'02" W.; to lat. 39°07'41" N., long. 87°21'29" W.; to lat. 39°07'39" N., long. 87°21'29" W.; to lat. 39°07'39" N., long. 87°21'26" to lat. 39°07'41" N., long. 87°21'25" W.; to lat. 39°07'41" N., long. 87°21'12" W.; to lat. 39°07'00" N., long. 87°21'08" W.; to lat. 39°07'00" N., long. 87°21'46" W.; to lat. 39°06'36" N., long. 87°21'47" W.; to lat. 39°06'36" N., long. 87°22'03" W.; to the point of beginning.

Designated altitudes. Surface up to and including 1,600 feet MSL.

Times of Designation. By NOTAM 24 hours in advance.

Controlling Agency. FAA, Terre Haute ATCT.

Using Agency. U.S. Navy, Naval Support Activity Crane, IN.

Issued in Washington, DC, on July 15, 2010.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

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**BILLING CODE 4910-13-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

**18 CFR Parts 2, 3b, 4, 5, 8, 9, 11, 16, 24, 32, 33, 34, 35, 39, 45, 46, 152, 153, 156, 157, 385, and 388**

[Docket No. RM10-26-000; Order No. 737]

**Technical Corrections to Commission's Regulations**

Issued July 14, 2010.

**AGENCY:** Federal Energy Regulatory Commission.

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

**SUMMARY:** The Commission is issuing this Final Rule to make minor changes to its regulations. This Final Rule revises a number of references that have become outdated for various reasons. Generally, these changes add or delete language in the current regulations that: Eliminate obsolete information; incorporate by reference updated electronic filing options; and correct incorrect cites.

**DATES:** *Effective Date:* The rule will become effective July 26, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Wilbur Miller, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8953.

Christopher Cook, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8102.

**SUPPLEMENTARY INFORMATION:**

Before Commissioners: Jon Wellinghoff, Chairman; Marc Spitzer, Philip D. Moeller, and John R. Norris.

Technical Corrections to Commission's Regulations

Docket No. RM10-26-000

Order No. 737

Final Rule

Issued July 14, 2010.

**I. Introduction**

1. This Final Rule corrects a number of the Commission's regulations to bring them up to date or make them consistent with other provisions. The revisions are intended to be ministerial and/or informational in nature, as explained below.

**II. Discussion****A. Minor Revisions Correcting Outdated Nomenclature, Addresses, and Provisions**

2. Parts 3b, 46, and 152 of Title 18 of the *Code of Federal Regulations*, this Final Rule corrects all references, where appropriate, to the "FPC" (Federal Power Commission; the predecessor to the Federal Energy Regulatory Commission) to read "FERC" or "Federal Energy Regulatory Commission." Also in these sections, multiple obsolete or outdated references relating to the FERC organizational structure are replaced or updated as appropriate. This Final Rule also revises incorrect references to a former FERC address and deletes regulatory provisions that no longer exist. This Final Rule also removes certain nomenclature to be consistent with other provisions of our regulations. See new 18 CFR 4.12 and 4.22 (2010).

**B. Minor Revisions Incorporating by Reference Web Site Language and Removing References to Paper Copies as Part of the Commission's Filing Procedures**

3. For Parts 2, 4, 5, 8, 11, 16, 24, 32, 34, 45, 46, 152, 153, 156, 385, and 388, this Final Rule incorporates by reference the "how to file" requirements located on the Commission's Web site in order to reflect our current electronic filing options. These filing options are routinely modified to capture information and technology updates as well as updates to general filing procedures. In Part 2, a reference to multiple paper copies is replaced by a reference to updated filing procedures as posted on the Commission Web site. FERC now has paperless electronic filing options for nearly all documents submitted to the Commission and references to a certain number of paper copies have been revised.<sup>1</sup> Part 4 is

<sup>1</sup> Although electronic submissions are encouraged, the Commission has posted a Quick

revised to remove multiple references to "certified mail," which is no longer a requirement. See new 18 CFR 4.4; 4.12; 4.22 (2010). Parts 9 and 156 are revised to remove a reference to paper copies as part of filing procedures and Part 157 is revised to remove a section related to outdated file formats. Part 388 replaces language that requires a "written statement" with "statement." See new 18 CFR 3b.203(b) (2010).

**C. Minor Revisions Removing Obsolete References to Filing Fees**

4. Parts 32, 34, 45, 152, 156, and 157 are all revised by removing language referencing filing fees. These filing fees are no longer required by the Commission.

**D. Minor Revisions Removing Obsolete References to Form of Notice**

5. Parts 33, 34, and 39 are all revised by removing language referencing forms of notice. The notices for these filings are now included in the Combined Notice Process.

**E. Minor Revisions Replacing Incorrect Order Number References**

6. To correct prior typographical errors, Part 35 is revised by replacing multiple references to "Order 741" with "Order 714."

**III. Information Collection Statement**

7. The Office of Management and Budget's (OMB) regulations require that OMB approve certain information collection requirements imposed by agency rule. 5 CFR Part 1320 (2010). This Final Rule contains no information reporting requirements, and is not subject to OMB approval.

**IV. Environmental Analysis**

8. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.<sup>2</sup> This Final Rule is not such an action, and does not represent a major federal action having a significant adverse effect on the human environment under the Commission's regulations implementing the National Environmental Policy Act. Part 380 of the Commission's regulations lists exemptions to the requirement that an Environmental Analysis or Environmental Impact Statement be done. Included is an exemption for

Reference Guide to Paper Submissions at <http://www.ferc.gov/docs-filing/efiling/filing.pdf>.

<sup>2</sup> *Regulations Implementing the National Environmental Policy Act*, Order No. 486, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs., Regulations Preambles 1986-1990 ¶ 30,783 (1987).