

### Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying Class E airspace extending upward from 700 feet above the surface at Barter Island LRRS Airport, Barter Island, AK. The North Slope Borough is relocating the airport approximately 2 miles southwest to address oceanic erosion issues at this remote location. The airspace would be modified to a 6.4-mile radius of the airport. Modification of the airspace is necessary for the safety and management of IFR operations at the airport. Additionally, the airport's geographic coordinates would be updated to lat. 70°06'47" N., long. 143°39'13" W.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

### Regulatory Notices and Analyses

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, is non-controversial and unlikely to result in adverse or negative comments. 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, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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(f), 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 FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### **AAL AK E5 Barter Island, AK [Modified]**

Barter Island LRRS Airport, AK  
(Lat. 70°06'47" N., long. 143°39'13" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Barter Island LRRS Airport, and that airspace extending upward from 1,200 feet above the surface within a 83-mile radius of Barter Island LRRS Airport, excluding that airspace east of 141° west longitude and excluding that airspace that extends beyond 12 miles of the shoreline.

Issued in Seattle, Washington, on October 3, 2016.

**Richard Roberts,**

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

[FR Doc. 2016-24625 Filed 10-12-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **19 CFR Part 360**

[Docket Number: 160803687-6687-01]

RIN 0625-AB09

#### **Steel Import Monitoring and Analysis System**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Commerce.

**ACTION:** Proposed rule and request for comments.

**SUMMARY:** The Department of Commerce (the Department) publishes this proposed rule to request public comments on proposed modifications to the regulations for the Steel Import Monitoring and Analysis (SIMA) System that would extend the system until March, 2022. Extension of the authority for the SIMA System will ensure the Department's ability to track as early as possible certain steel mill imports into the United States and make the import data publicly available approximately five weeks in advance of the full public trade data release by the Bureau of the Census. Having such access to information about steel imports provides the public with greater knowledge to evaluate current market conditions.

**DATES:** Comments must be submitted on or before 5 p.m. November 14, 2016.

**ADDRESSES:** As specified above, to be assured of consideration, comments must be received no later than 30 days after the publication of this notice in the **Federal Register**. All comments must be submitted through the Federal eRulemaking Portal at <http://www.regulations.gov>, into Docket Number ITA-2016-0008, unless the commenter does not have access to the Internet. Commenters that do not have access to the Internet may submit the original and two copies of each set of comments by mail or hand delivery/courier. Please address the written comments to the Secretary of Commerce, Attention: Steven Presing, Director for Industry Support and Analysis, Enforcement and Compliance, Room 2845, Enforcement and Compliance, U.S. Department of Commerce, Constitution Avenue and 14th Street NW., Washington, DC 20230. The Department will not accept comments accompanied by a request that part or all of the material be treated confidentially because of its business proprietary nature or for any other reason. All comments responding to this

notice will be a matter of public record and will be available for inspection at Enforcement and Compliance's Central Records Unit (Room 18022 of the Herbert C. Hoover Building) and on the Department's Web site at <http://trade.gov/enforcement/> and on [www.regulations.gov](http://www.regulations.gov). address: [webmaster-support@trade.gov](mailto:webmaster-support@trade.gov). All **Federal Register** notices regarding the SIMA system and comments can be accessed via <http://enforcement.trade.gov/steel/license/SIMA-FR-Notices.html>.

**FOR FURTHER INFORMATION CONTACT:** For information on the SIMA System, please contact Steven Presing (202) 482-1672 or Julie Al-Saadawi (202) 482-1930.

**SUPPLEMENTARY INFORMATION:** On March 2, 2002, President George W. Bush authorized the implementation of a steel import licensing and monitoring program by issuing Proclamation 7529, which placed temporary tariffs on certain steel imports. The monitoring system outlined in Proclamation 7529 required all importers of steel products to obtain a license from the Department of Commerce prior to completing Customs entry summary documentation. This monitoring tool ensured that the effectiveness of the safeguard was not undermined by large quantities of imports originating from countries that were excluded from the application of the tariffs. Pursuant to Proclamation 7529, on December 31, 2002, the Department of Commerce issued final regulations setting forth the "Steel Import Licensing and Surge Monitoring Program" (67 FR 79845). In Proclamation 7741 of December 4, 2003 (68 FR 68483), the President terminated the temporary tariffs, but directed the Secretary of Commerce to continue the steel import licensing and monitoring system until the earlier of March 21, 2005, or such time as the Secretary of Commerce established a replacement monitoring program. On December 9, 2003 (68 FR 68594), the Department published a notice stating that the monitoring system would continue to be in effect as described in Proclamation 7741 until March 21, 2005. Prior to the March 21, 2005, termination date, the Department of Commerce determined that there continued to be a need to collect import data, and published an interim rule (70 FR 12136, March 11, 2005) revising part 360 to slightly expand the monitoring program, and a final rule (70 FR 72373, December 5, 2005) continuing the program through March 21, 2009; at this time the system became known as SIMA. On March 18, 2009, the Department of Commerce published a final rule (74 FR 11474) in

the **Federal Register** to continue the SIMA System and extend the program until March 21, 2013. On February 15, 2013, the Department of Commerce published a final rule (78 FR 11090) to continue the SIMA System and extend the program until March 21, 2017, unless further extended upon review and notification in the **Federal Register**.

This proposed rule would extend the implementation of the SIMA System until March 21, 2022 (see 19 CFR part 360). This extension would continue the Department's ability to track certain steel mill imports into the United States and make the import data publicly available approximately five weeks in advance of the full trade data release.

The purpose of the SIMA System is to provide steel producers, steel consumers, importers, and the general public with accurate and timely information on anticipated imports of certain steel products into the United States. Steel import licenses, issued through the online SIMA licensing system, are required by U.S. Customs and Border Protection for filing entry paperwork for imports of certain steel mill products into the United States. Import data collected through the issuance of the licenses are aggregated weekly and posted on the publicly available Steel Import Monitor. Details of the current monitoring system can be found at <http://enforcement.trade.gov/steel/license/>.

SIMA's renewal comes at a time of significant challenges to the steel sector due, in part, to the extensive structural excess production capacity currently present in the global steel industry, which exacerbates import pressures and increases market volatility. The domestic steel industry and other steel market participants have previously expressed support for the SIMA System because it permits all participants to monitor import fluctuations in a timely manner. See *Steel Import Monitoring Analysis System*, 78 FR 11090, 11091 (February 15, 2013).

All comments responding to this notice will be a matter of public record and available for public inspection and copying on [www.Regulations.gov](http://www.Regulations.gov) and at Enforcement and Compliance's Central Records Unit, Room 18022, between the hours of 8:30 a.m. and 5 p.m. on business days.

#### Classification

Regulatory Flexibility Act. The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on

a substantial number of small entities as that term is defined in the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* A summary of the factual basis for this certification is below.

This rule, if implemented, would extend the current SIMA System until March 21, 2022. The entities that would be impacted by this rule are importers and brokerage companies who import steel mill products. These entities would be required to obtain steel import licenses through the online, automatic SIMA licensing system for filing entry paperwork required by U.S. Customs and Border Protection for U.S. imports of steel mill products. Based on statistics derived from current license applications, of the approximately 1,600 licenses issued each day, the Department estimates that fewer than two percent of the licenses would be filed by importers and brokerage companies that would be considered small entities.

Based on the current usage of SIMA, the Department does not anticipate that the extension of the SIMA System will have a significant economic impact. Companies are already familiar with the licensing of certain steel products under the current system. In most cases, brokerage companies will apply for the license on behalf of the steel importers. Most brokerage companies that are currently involved in filing documentation for importing goods into the United States are accustomed to Customs and Border Protection's automated entry filing systems. Today, more than 99% of the Customs filings are handled electronically. Therefore, the web-based, automated nature of this simple license application should not be a significant obstacle to any firm in completing this requirement. However, should an importer or brokerage company need to register for an account or apply for a license non-electronically, a fax/phone option will be available at the Department during regular business hours. There is no cost to register for a company-specific steel license account and no cost to file for the license. Each license form is expected to take less than 10 minutes to complete and collects much of the same information required on the Customs entry summary documentation. The steel import license is the only additional U.S. entry requirement that importers or their representatives must fulfill in order to import each covered steel product shipment.

Although the Department does not charge for licenses, the Department estimates that the likely aggregate license costs incurred by small entities in terms of the time to apply for licenses

as a result of this proposed rule would be less than two percent, or an estimated \$37,151.00, of the estimated total \$1,857,560.00 cost to all steel importers to process the on-line automatic licenses. These calculations were based on an hourly pay rate of \$20.00 multiplied by the estimated 92,878 total annual burden hours. Based on the current patterns of license applications, the vast majority of the licenses are applied for by large companies. The approximate cost of a single license is less than 10 minutes of the applicant's time and this is reduced if applicants use templates or the electronic data interface for multiple licenses. This amounts to an average cost per license of \$3.33.

This proposed rule contains collection-of-information requirements subject to review and approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA).

These requirements have been approved by OMB (OMB No.: 0625-0245; Expiration Date: 1/31/2018). Public reporting for this collection of information is estimated to be less than 10 minutes per response, including the time for reviewing instructions, and completing and reviewing the collection of information.

#### Paperwork Reduction Act Data

OMB Number: 0625-0245.

ITA Number: ITA-4141P.

Type of Review: Regular Submission.

Affected Public: Business or other for-profit.

Estimated Number of Registered Users: 3,500.

Estimated Time per Response: Less than 10 minutes.

Estimated Total Annual Burden Hours: 92,878 hours.

Estimated Total Annual Costs: \$0.00.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number.

#### Executive Order 12866

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

#### Executive Order 13132

This rule does not contain policies with federalism implications as that term is defined in EO 13132.

#### List of Subjects in 19 CFR Part 360

Administrative practice and procedure, Business and industry, Imports, Reporting and recordkeeping requirements, Steel.

Dated: October 4, 2016.

Ken Hyatt,

Acting Under Secretary for International Trade.

For the reasons discussed above, we propose amending 19 CFR part 360 as follows:

#### PART 360—STEEL IMPORT MONITORING AND ANALYSIS SYSTEM

■ 1. The authority citation for part 360 continues to read as follows:

Authority: 13 U.S.C. 301(a) and 302.

■ 2. Section 360.105 is revised to read as follows.

#### § 360.105 Duration of the steel import licensing requirement.

The licensing program will be in effect through March 21, 2022, but may be extended upon review and notification in the **Federal Register** prior to this expiration date. Licenses will be required for all subject imports entered during this period, even if the entry summary documents are not filed until after the expiration of this program. The licenses will be valid for 10 business days after the expiration of this program to allow for the final filing of required Customs documentation.

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#### DEPARTMENT OF JUSTICE

#### Drug Enforcement Administration

#### 21 CFR Part 1308

[Docket No. DEA-442W]

#### Withdrawal of Notice of Intent to Temporarily Place Mitragnine and 7-Hydroxymitragnine Into Schedule I

**AGENCY:** Drug Enforcement Administration, Department of Justice.

**ACTION:** Withdrawal of Notice of Intent; Solicitation of Comments.

**SUMMARY:** On August 31, 2016, the Drug Enforcement Administration (DEA) published in the **Federal Register** a notice of intent to temporarily place mitragnine and 7-hydroxymitragnine, which are the main psychoactive constituents of the plant *Mitragyna speciosa*, also referred to as kratom, into schedule I pursuant to the temporary scheduling provisions of the Controlled

Substances Act. Since publishing that notice, DEA has received numerous comments from members of the public challenging the scheduling action and requesting that the agency consider those comments and accompanying information before taking further action. In addition, DEA will receive from the Food and Drug Administration (FDA) a scientific and medical evaluation and scheduling recommendation for these substances, which DEA previously requested.

DEA is therefore taking the following actions: DEA is withdrawing the August 31, 2016 notice of intent; and soliciting comments from the public regarding the scheduling of mitragnine and 7-hydroxymitragnine under the Controlled Substances Act.

**DATES:** The notice of intent that was published on August 31, 2016 (81 FR 59929) is withdrawn as of October 13, 2016. The comment period will be open until December 1, 2016. All comments for the public record must be submitted electronically or in writing in accordance with the procedures outlined below. Electronic comments must be submitted, and written comments must be postmarked, on or before December 1, 2016. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period. Please note that if you previously submitted a comment via email or regular mail following the August 31, 2016 notice, that comment is being considered by DEA—it is not necessary to resubmit the same comment *unless* you wish to provide additional information, or you wish to have your comment posted for public view in accordance with the instructions provided below.

**ADDRESSES:** To ensure proper handling of comments, please reference “Docket No. DEA-442W” on all correspondence, including any attachments.

• *Electronic comments:* The Drug Enforcement Administration encourages that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the Web page or attach a file for lengthier comments. Please go to <http://www.regulations.gov> and follow the online instructions at that site for submitting comments. Upon completion of your submission, you will receive a Comment Tracking Number for your comment. Please be aware that submitted comments are not instantaneously available for public view on *Regulations.gov*. If you have