

safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

(1) Is not a “significant regulatory action” under Executive Order 12866,

(2) Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

#### 2017-05-09 CFM International S.A.:

Amendment 39-18820; Docket No. FAA-2016-9128; Directorate Identifier 2016-NE-19-AD.

#### (a) Effective Date

This AD becomes effective April 13, 2017.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to CFM International S.A. (CFM) CFM56-5B models, CFM56-5B/P

models, CFM56-5B/3 models, CFM56-5B/2P models, CFM56-5B/P1 models, CFM56-5B/2P1 models, and CFM56-5B/3B1 models engines with a radial drive shaft (RDS) serial number (S/N) listed in Appendix A of CFM Service Bulletin (SB) CFM56-5B S/B 72-0934, dated August 1, 2016, installed.

#### (d) Subject

Air Transport Association (ATA) of America Code 83, Accessory Gearboxes.

#### (e) Unsafe Condition

This AD was prompted by reports of the failure of the RDS on CFM CFM56-5B engines. We are issuing this AD to prevent failure of the RDS, which could lead to failure of one or more engines, loss of thrust control, and damage to the airplane.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

Within 6 months after the effective date of this AD, remove the RDS assembly, part number (P/N) 305-165-101-0, and RDS outer housing, P/N 301-295-106-0, and replace with parts eligible for installation.

#### (g) Installation Prohibition

After the effective date of this AD, do not install on any engine, an RDS with an S/N identified in Appendix A of CFM SB CFM56-5B S/B 72-0934, dated August 1, 2016.

#### (h) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: [ANE-AD-AMOC@faa.gov](mailto:ANE-AD-AMOC@faa.gov).

#### (i) Related Information

For more information about this AD, contact Kasra Sharifi, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7773; fax: 781-238-7199; email: [kasra.sharifi@faa.gov](mailto:kasra.sharifi@faa.gov).

#### (j) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) CFM International S.A. (CFM) Service Bulletin CFM56-5B S/B 72-0934, dated August 1, 2016.

(ii) Reserved.

(3) For CFM service information identified in this AD, contact CFM International Inc., Aviation Operations Center, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45125; phone: 877-432-3272; fax: 877-432-3329; email: [aviation.fleetssupport@ge.com](mailto:aviation.fleetssupport@ge.com).

(4) You may view this service information at FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

(5) You may view this service information at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on February 24, 2017.

**Carlos A Pestana,**

*Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2017-04656 Filed 3-8-17; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2017-0116; Airspace Docket No. 17-AGL-2]

RIN 2120-AA66

### Amendment of Air Traffic Service (ATS) Routes Q-917 and Q-923; Northcentral United States

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

**ACTION:** Final rule, technical amendment.

**SUMMARY:** The FAA is amending two high altitude area navigation (RNAV) Q-routes that cross the United States (U.S.)/Canada border in the northcentral U.S. to update the waypoint name for one Canadian waypoint listed in the Q-route descriptions. Specifically, this action changes the SASUT waypoint name to DUTEL in RNAV routes Q-917 and Q-923 to match the waypoint information contained in the FAA and Canadian aeronautical databases. No air traffic services are affected by this action.

**DATES:** Effective date 0901 UTC, June 22, 2017. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records

Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:**

Colby Abbott, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes 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 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 would amend the route structure as required to preserve the safe and efficient flow of air traffic across the U.S./Canadian border.

**History**

On September 26, 2014, the FAA published in the **Federal Register** a final rule (79 FR 57758), Docket No. FAA-2014-0295, that amended, removed, and established multiple ATS routes in the northcentral U.S. to reflect and accommodate route changes being made in Canadian airspace as part of a Canadian airspace redesign project. The FAA recently identified that the SASUT waypoint name duplicates an existing waypoint name in Mexico and advised NAV CANADA accordingly. NAV CANADA has elected to change the SASUT waypoint name to DUTEL to overcome any potential confusion created by the SASUT waypoint name being used in Canada and Mexico.

This rule makes the editorial waypoint name correction to match the FAA and Canadian aeronautical databases. On January 19, 2017, the FAA issued a final rule; technical amendment that updated the

geographical coordinates for five Canadian waypoints, including SASUT (82 FR 6212), Docket No. FAA-2016-9319. That final rule becomes effective on April 27, 2017. The geographic coordinates for DUTEL (SASUT) in the legal description in this rule reflect the updated coordinates.

High altitude Canadian RNAV routes (Q-routes) are published in paragraph 2007 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 high altitude Canadian RNAV routes (Q-routes) listed in this rule will be subsequently published in the Order.

**Availability and Summary of Documents for Incorporation by Reference**

This document amends 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 Rule**

The FAA is amending Title 14, Code of Federal Regulations (14 CFR) part 71 by modifying RNAV routes Q-917 and Q-923. The route modifications are editorial in nature and change the SASUT waypoint name to DUTEL to match the FAA and Canadian aeronautical databases information. No air traffic services are affected by this action and no substantive changes to the RNAV routes are being made. Therefore, notice and public procedures under 5 U.S.C. 553(b) is unnecessary.

The RNAV route modifications accomplished by this action are outlined below.

Q-917: change the SASUT waypoint name from "SASUT" to "DUTEL."

Q-923: change the SASUT waypoint name from "SASUT" to "DUTEL."

**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. It, therefore: (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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The FAA has determined that this airspace action of modifying two high altitude RNAV Q-routes by updating the waypoint name for one Canadian waypoint listed in the Q-route descriptions has no potential to cause any significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment. Therefore, this proposed airspace action qualifies for categorical exclusion under the National Environmental Policy Act and its implementing regulations at 40 CFR part 1500-1508, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, Paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). In accordance with FAAO 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, this action has been reviewed for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis, and it is determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**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 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 FAA Order 7400.11A,

Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

*Paragraph 2007 Canadian Area Navigation Routes.*

\* \* \* \* \*

**Q-917 Sault Ste Marie, MI (SSM) to WOZEE, NY [Amended]**

Sault Ste Marie, MI (SSM)	VOR/DME	(Lat. 46°24'43.60" N., long. 084°18'53.54" W.)
ULUTO, Canada	WP	(Lat. 46°18'16.00" N., long. 084°05'41.00" W.)
VIGLO, Canada	WP	(Lat. 45°23'48.00" N., long. 082°25'11.00" W.)
DUTEL, Canada	WP	(Lat. 44°39'59.00" N., long. 081°17'47.00" W.)
PEPLA, Canada	WP	(Lat. 43°47'50.98" N., long. 080°00'53.56" W.)
HOZIR, NY	WP	(Lat. 43°06'03.59" N., long. 079°02'05.27" W.)
WOZEE, NY	WP	(Lat. 42°56'01.65" N., long. 078°44'19.64" W.)

Excluding the airspace within Canada.

\* \* \* \* \*

**Q-923 HOCKE, MI to DUTEL, Canada [Amended]**

HOCKE, MI	WP	(Lat. 43°15'43.38" N., long. 082°42'38.27" W.)
KARIT, MI	WP	(Lat. 43°43'23.00" N., long. 082°08'40.00" W.)
DUTEL, Canada	WP	(Lat. 44°39'59.00" N., long. 081°17'47.00" W.)

Excluding the airspace within Canada.

\* \* \* \* \*

Issued in Washington, DC, on March 1, 2017.

**Rodger A. Dean Jr.,**

*Manager, Airspace Policy Group.*

[FR Doc. 2017-04568 Filed 3-8-17; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF JUSTICE****Drug Enforcement Administration****21 CFR Part 1308**

[Docket No. DEA-435]

**Schedules of Controlled Substances: Placement of Brivaracetam Into Schedule V**

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

**ACTION:** Final rule.

**SUMMARY:** This final rule adopts without change an interim final rule with request for comments published in the **Federal Register** on May 12, 2016. The Drug Enforcement Administration is placing the substance brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviact) (including its salts) into schedule V of the Controlled Substances Act. This scheduling action is pursuant to the Controlled Substances Act, as revised by the Improving Regulatory Transparency for New Medical Therapies Act which

was signed into law on November 25, 2015.

**DATES:** The effective date of this final rulemaking is March 9, 2017.

**FOR FURTHER INFORMATION CONTACT:**

Michael J. Lewis, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrisette Drive, Springfield, Virginia 22152; Telephone: (202) 598-6812.

**SUPPLEMENTARY INFORMATION:****Legal Authority**

The Drug Enforcement Administration (DEA) implements and enforces titles II and III of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended. 21 U.S.C. 801-971. Titles II and III are referred to as the "Controlled Substances Act" and the "Controlled Substances Import and Export Act," respectively, and are collectively referred to as the "Controlled Substances Act" or the "CSA" for the purpose of this action. The DEA publishes the implementing regulations for these statutes in title 21 of the Code of Federal Regulations (CFR), chapter II. The CSA and its implementing regulations are designed to prevent, detect, and eliminate the diversion of controlled substances and listed chemicals into the illicit market while providing for the legitimate medical, scientific, research, and industrial needs of the United States. Controlled substances have the potential for abuse

and dependence and are controlled to protect the public health and safety.

Under the CSA, controlled substances are classified into one of five schedules based upon their potential for abuse, their currently accepted medical use in treatment in the United States, and the degree of dependence the substance may cause. 21 U.S.C. 812. The initial schedules of controlled substances established by Congress are found at 21 U.S.C. 812(c), and the current list of all scheduled substances is published at 21 CFR part 1308.

The Improving Regulatory Transparency for New Medical Therapies Act (Pub. L. 114-89) was signed into law on November 25, 2015. This law amended the CSA and states that in cases where the DEA receives notification from HHS that the Secretary has approved an application under section 505(c) of the Federal Food, Drug, and Cosmetic Act (FDCA), the DEA is required to issue an interim final rule, with opportunity for public comment and to request a hearing, controlling the drug not later than 90 days after receiving such notification from HHS and subsequently to issue a final rule. 21 U.S.C. 811(j). When controlling a drug pursuant to section 811(j), the DEA must apply the scheduling criteria of subsections 811(b), (c), and (d) and section 812(b). 21 U.S.C. 811(j)(3).

**Background**

Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide)