(1) If no cracking is detected: Repeat that internal visual inspection thereafter at intervals not to exceed 1,200 flight cycles until the requirements of paragraph (d) of this AD are accomplished.

(2) If any cracking is detected in only one wing skin support bracket, and that cracking is more than half the length of the bracket; and if any cracking also is detected in up to two additional wing skin support brackets and that cracking is less than half the length of the bracket: Repeat that internal visual inspection thereafter at intervals not to exceed 400 flight cycles, until the requirements of paragraph (d) of this AD are accomplished.

(3) If any cracking is detected other than that specified in paragraph (c)(2) of this AD: Prior to further flight, replace any support bracket that is cracked beyond the limits specified in paragraph (c)(2) of this AD either with a new or serviceable bracket having the same part number, or with a new style bracket having a part number specified in paragraph 3.1. of EMBRAER Service Bulletin 120–57–0031, dated July 6, 1995.

Following replacement and prior to further flight, perform an additional internal visual inspection to detect cracking of the support brackets that connect the wing skins to ribs 18, 19, 20, 21, and 22 in accordance with the EMBRAER service bulletin.

(i) If no cracking is found in the support brackets that connect the wing skins at ribs 18, 19, 20, 21, or 22: Repeat that internal visual inspection thereafter at intervals not to exceed 1,200 flight cycles until the requirements of paragraph (d) of this AD are accomplished.

(ii) If any cracking is found in the support brackets that connect the wing skins at ribs 18, 19, 20, 21, or 22: Prior to further flight, replace the cracked bracket with a new or serviceable bracket having the same part number; rib 18 may also be replaced with a ''new style'' bracket having a part number specified in paragraph 3.1. of the EMBRAER service bulletin.

(d) Within 2 years after the effective date of this AD: Replace all wing rib-to-skin support brackets of ribs 15, 16, and 18 with ''new style'' brackets having a part number specified in paragraph 3.1. of EMBRAER Service Bulletin 120–57–0031, dated July 6, 1995. Replacement procedures shall be accomplished in accordance with the Accomplishment Instructions, PART II, of that service bulletin. Prior to further flight following that replacement, perform a visual inspection to detect cracking of the wing skin support brackets of ribs 19, 20, 21, and 22. If any cracking is found, prior to further flight, replace the cracked bracket with a new or serviceable bracket having the same part number, in accordance with the EMBRAER service bulletin. Accomplishment of these actions constitutes terminating action for the requirements of this AD.

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(g) The actions shall be done in accordance with EMBRAER Service Bulletin 120–57–0031, dated July 6, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Empresa Brasileira de Aeronautica, S.A. (EMBRAER), Sao Jose dos Campos—SP, Brazil. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on March 3, 1997.

Issued in Renton, Washington, on January 17, 1997.

S. R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–1826 Filed 1–24–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 71

[Docket No. 96–ACE–25]

Amendment to Class E Airspace, Sioux City, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends the Class E airspace area at Sioux Gateway Airport, Sioux City, IA. The Federal Aviation Administration has developed a Standard Instrument Approach Procedure (SIAP) based on the Non-directional Radio Beacon (NDB) which has made this change necessary. The effect of this rule is to provide additional controlled airspace for aircraft arriving and departing the Sioux Gateway Airport.

DATES: Effective date: May 22, 1997.

Comment date: Comments must be received on or before March 10, 1997.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Operations Branch, Air Traffic Division, ACE–530, Federal Aviation Administration, Docket Number 96–ACE–25, 601 East 12th St., Kansas City, MO 64106.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Operations Branch, ACE–530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106: telephone: (816) 426–3408.

SUPPLEMENTARY INFORMATION: The FAA has developed Standard Instrument Approach Procedures (SIAP) utilizing the Non-directional Radio Beacon (NDB) at Sioux Gateway Airport, Sioux City, IA. The amendment to Class E airspace at Sioux City, IA, will provide additional controlled airspace to segregate aircraft operating under Visual Flight Rules (VFR) from aircraft operating under Instrument Flight Rules (IFR) procedures while arriving or departing the airport. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to either circumnavigate the area, continue to operate under VFR to and from the airport, or otherwise comply with IFR procedures. Class E airspace areas extending from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the

regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the Federal Register indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the Federal Register, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interest persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 96–ACE–25.'' The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have substantial direct effects 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reason discussed in the preamble, I certify that is 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) if promulgated, 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. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—AMENDED

1. 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; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

* * * * *

ACE IA E4 Sioux City, IA [Revised]

Sioux City, Sioux Gateway Airport, IA
(Lat. 42°24′10″ N. long. 96°23′04″ W.)
Sioux City VORTAC
(Lat. 42°20′40″ N. long. 96°19′25″ W.)
Gateway NDB
(Lat. 42°24′29″N. long. 96°23′09″W.)

That airspace extending upward from the surface within 2.2 miles each side of the 140° radial of the Sioux City VOTAC extending from the 4.3-mile radius of the Sioux Gateway Airport to 5.3 miles southeast of the VORTAC and 2.5 miles each side of the 170° bearing from the Gateway NDB extending from the 4.3-mile radius of the Sioux Gateway Airport to 7 miles south of the NDB. This Class E 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.

* * * * * *

ACE NE E5 Sioux City, IA. [Revised]

Sioux City, Sioux Gateway Airport, IA
(Lat. 42°24′10″ N., long. 96°23′04″ W.)
Sioux City VORTAC
(Lat. 42°20′40″ N., long. 96°19′25″ W.)
Gateway NDB
(Lat. 42°24′29″ N., long. 96°23′09″ W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Sioux Gateway Airport and within 3 miles each side of the 139° radial of the Sioux City VORTAC extending from the 7-mile radius to 17.8 miles southeast of the VORTAC and within 3 miles each side of the 319° radial of the Sioux City VORTAC extending from the 6.8-mile radius to 25.3 miles northwest of the VORTAC and 2 miles each side of the 360° bearing from the Sioux Gateway Airport extending from the 7-mile radius to 9.2 mile north of the airport.

* * * * *

Issued in Kansas City, MO, on December 27, 1996.

Bryan H. Burleson,

Acting Manager, Air Traffic Division Central Region.

[FR Doc. 97–1918 Filed 1–24–97; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 96–AGL–15]

Modification of Class E Airspace; Toledo, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E5 airspace at Bowling Green, Wood County Airport, Toledo, OH, to accommodate diverse departure traffic from Wood County Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

EFFECTIVE DATE: 0901 UTC, March 27, 1997.

FOR FURTHER INFORMATION CONTACT: John A. Clayborn, Air Traffic Division, Operations Branch AGL–530, Federal Aviation Administration, 2300 East