

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 500 Class D airspace.

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AGL SD D Rapid City, SD [Revised]

Rapid City Regional Airport, SD
(Lat. 44°02'43"N., long. 103°03'27"W.)
Ellsworth AFB, SD
(Lat. 44°08'42"N., long. 103°06'13"W.)

That airspace extending upward from the surface to and including 5,700 feet MSL within a 4.3-mile radius of the Rapid City Regional Airport, SD, excluding the portion north of a line between the intersection of the Rapid City Regional Airport 4.3-mile radius and the Ellsworth AFB, SD, 4.7-mile radius. This Class D airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6004 Class E airspace areas designated as an extension to a Class D surface area.

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AGL SD E4 Rapid City, SD [Revised]

Rapid City Regional Airport, SD
(Lat. 44°02'43"N., long. 103°03'27"W.)
Ellsworth AFB, SD
(Lat. 44°08'42"N., long. 103°06'13"W.)
Rapid City VORTAC
(Lat. 43°58'34"N., long. 103°00'44"W.)
Ellsworth AFB TACAN
(Lat. 44°08'20"N., long. 103°06'06"W.)

That airspace extending upward from the surface within 2.6 miles each side of the Rapid City VORTAC 155°/335° radials extending from the 4.3-mile radius of the Rapid City Regional Airport to 7.0 miles southeast of the VORTAC and within 2.6 miles each side of the Ellsworth AFB TACAN 129° radial, extending from the Ellsworth AFB 4.7-mile radius of the airport to 7.0 miles southeast of the TACAN, excluding that airspace within the Rapid City, SD, Class D airspace area. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be

continuously published in the Airport/Facility Directory.

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Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

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AGL SD E2 Rapid City, SD [New]

Rapid City Regional Airport, SD
(Lat. 44°02'43"N., long. 103°03'27"W.)
Ellsworth AFB, SD
(Lat. 44°08'42"N., long. 103°06'13"W.)
Rapid City VORTAC
(Lat. 43°58'34"N., long. 103°00'44"W.)
Ellsworth AFB TACAN
(Lat. 44°08'20"N., long. 103°06'06"W.)

Within a 4.3-mile radius of the Rapid city Regional Airport, SD, excluding the portion north of a line between the intersection of the Rapid City Regional Airport 4.3-mile radius and the Ellsworth AFB, SD, 4.7-mile radius, and that airspace extending upward from the surface within 2.6 miles each side of the Rapid City VORTAC 155°/335° radials extending from the 4.3-mile radius of the Rapid City Regional Airport to 7.0 miles southeast of the VORTAC and within 2.6 miles each side of the Ellsworth AFB TACAN 129° radial, extending from the Ellsworth AFB 4.7-mile radius of the airport to 7.0 miles southeast of the TACAN, excluding that airspace within the Rapid City, SD, Class D airspace area. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Des Plaines, Illinois on March 2, 1999.

David B. Johnson,

Acting Manager, Air Traffic Division.

[FR Doc. 99–6139 Filed 3–11–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98–AGL–62]

Modification of Class D Airspace and Class E Airspace and Establishment of Class E Airspace; Kenosha, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class D airspace and Class E airspace and establishes Class E airspace at Kenosha, WI. This action amends the effective hours of the Class D surface area and the associated Class E airspace to coincide with the time of operation of the airport traffic control tower (ATCT) at Kenosha Regional Airport. This action also establishes a Class E surface area when

the ATCT is closed. The purpose of these actions is to clarify when two-way radio communication with the ATCT is required and to provide adequate controlled airspace for instrument approach procedures when the tower is closed.

EFFECTIVE DATE: 0901 UTC, May 20, 1999.

FOR FURTHER INFORMATION CONTACT:

Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL–520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7568.

SUPPLEMENTARY INFORMATION:

History

On Friday, January 15, 1999, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Kenosha, WI (64 FR 2605). The proposal was to add controlled airspace extending upward from the surface to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class D airspace designations are published in paragraph 5000, Class E airspace areas designated as an extension to a Class D surface area are published in paragraph 6004, and Class E airspace areas designated as a surface area for an airport are published in paragraph 6002 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 modifies Class D and Class E airspace by amending the effective hours to coincide with the ATCT hours of operation, and establishes a Class E surface area during those times the ATCT is closed, at Kenosha, WI. Controlled airspace extending upward from the surface is needed to contain aircraft executing instrument approach procedures at Kenosha Regional Airport. The area will be depicted on appropriate aeronautical charts.

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 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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 5000 Class D airspace.

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AGL WI D Kenosha, WI [Revised]

Kenosha Regional Airport, WI
(Lat. 42° 35' 45"N., long. 87° 55' 40"W.)

That airspace extending upward from the surface to and including 3,200 feet MSL within an 4.1-mile radius of the Kenosha Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6004 Class E airspace areas designated as an extension to a Class D surface area.

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AGL WI E4 Kenosha, WI [Revised]

Kenosha Regional Airport, WI

(Lat. 42° 35' 45"N., long. 87° 55' 40"W.)

Kenosha VOR

(Lat. 42° 35' 57"N., long. 87° 55' 54"W.)

That airspace extending upward from the surface within 2.4 miles each side of the Kenosha VOR 077° radial extending from the 4.1-mile radius of the Kenosha Regional Airport to 7.0 miles northeast of the airport. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

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AGL WI E2 Kenosha, WI [New]

Kenosha Regional Airport, WI

(Lat. 42° 35' 45"N., long. 87° 55' 40"W.)

Kenosha VOR

(Lat. 42° 35' 57"N., long. 87° 55' 54"W.)

Within an 4.1-mile radius of the Kenosha Regional Airport, and that airspace extending upward from the surface within 2.4 miles each side of the Kenosha VOR 077° radial extending from the 4.1-mile radius of the Kenosha Regional Airport to 7.0 miles northeast of the airport. This Class E Airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Des Plaines, Illinois on March 2, 1999.

David B. Johnson,

Acting Manager, Air Traffic Division.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 152–0131 FRL–6235–4]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Kern County Air Pollution County District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This action corrects language to Title 40 of the Code of Federal Regulations that appeared in a direct final rule published in the **Federal Register** on December 21, 1998.

EFFECTIVE DATE: This action is effective on April 12, 1999.

FOR FURTHER INFORMATION CONTACT: Christine Vineyard, Rulemaking Office, Air Division, U.S. Environmental Protection Agency, Region IX, 75

Hawthorne Street, San Francisco, CA 94105, Telephone: (415)744–1197.

SUPPLEMENTARY INFORMATION: On December 21, 1998 at 63 FR 70348, EPA published a direct final rulemaking action approving various sections of the California State Implementation Plan (SIP). This action contained amendments to 40 CFR Part 52, Subpart F. The amendments which incorporated material by reference into § 52.220, Identification of plan, paragraphs (24)(vii)(E), (52)(i)(C), (67)(iii)(C), (75)(iii), (101)(ii)(F), and (140)(ii)(B) incorrectly identified the Valley Basin portion of Kern County as being the portion of Kern County within which the rules were being deleted from the SIP. The Valley Basin portion of Kern County resides in the San Joaquin Valley Air Basin portion of Kern County, and is under the jurisdiction of the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD), where the rules will not be removed until SJVUAPCD replacement rules are approved for inclusion in the SIP. Therefore, the paragraphs should reflect that the Southeast Desert Air Basin is the only portion of Kern County being deleted from the SIP without replacement. This action corrects those paragraphs. In addition, paragraph (24)(vii)(E) incorrectly stated that, “Previously approved on August 22, 1997 and deleted *with* replacement Rule 404.” That paragraph should read, “Previously approved on August 22, 1997 and deleted *without* replacement Rule 404” and is being corrected in this action.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and, is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (P.L. 104–4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule