

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 73**

[Docket No. FAA-2006-26599; Airspace  
Docket No. 06-ASW-11]

RIN 2120-AA66

**Change to Controlling Agency of  
Restricted Area 2312; Fort Hauchuca,  
AZ**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the controlling agency for Restricted Area 2312 (R-2312), Fort Hauchuca, AZ. Specifically, this action amends the controlling agency from "Libby [Army Air Field] AAF [Airport Traffic Control Tower] ATCT" to "Albuquerque [Air Route Traffic Control Center] ARTCC." This is an administrative change that does not alter the boundaries, designated altitudes, time of designation, or activities conducted within R-2312. The FAA is taking this action at the request of the United States (U.S.) Army and the U.S. Air Force because Libby AAF ATCT is not a 24-hour facility and R-2312 is not fully contained within the airspace delegated to Libby AAF ATCT by Albuquerque ARTCC.

**DATES:** *Effective Date:* 0901 UTC, March 15, 2007.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 13 and March 17, 2006, respectively, the U.S. Army and the U.S. Air Force requested that the FAA take action to amend the controlling agency for R-2312, Fort Hauchuca, AZ from "Libby AAF ATCT" to "Albuquerque ARTCC." The reason for the change is because Libby AAF ATCT is not a 24-hour facility and R-2312 is not fully contained within the airspace delegated to Libby AAF ATCT by Albuquerque ARTCC.

**The Rule**

At the request of the U.S. Army and the U.S. Air Force, the FAA is amending the controlling agency for R-2312, Fort Hauchuca, AZ from "Libby AAF ATCT" to "Albuquerque ARTCC". This is an

administrative change that does not alter the boundaries, designated altitudes, time of designation, or activities conducted within R-2312. Therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

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.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with 311d., FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures." This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**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.

**§ 73.23 [Amended]**

■ 2. § 73.23 is amended as follows:

\* \* \* \* \*

**R-2312 Fort Huachuca, AZ  
[Amended]**

Under Controlling Agency, by removing the words "Libby AAF ATCT"

and inserting the words "Albuquerque ARTCC."

\* \* \* \* \*

Issued in Washington, DC, on January 4, 2007.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. E7-323 Filed 1-11-07; 8:45 am]

**BILLING CODE** 4910-13-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 73**

[Docket No. FAA-2006-26646; Airspace  
Docket No. 06-ASW-12]

RIN 2120-AA66

**Change to Time of Designation of  
Restricted Area 6320; Matagorda, TX**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the time of designation for Restricted Area 6320 (R-6320), Matagorda, TX. Specifically, this action amends the time of designation from "Continuous" to "Intermittent by [Notice to Airmen] NOTAM." This rule makes no other changes to R-6320. The FAA is issuing this amendment because R-6320 is no longer continuously needed for the aerostat balloon, used in support of U.S. National Security interests.

**EFFECTIVE DATE:** 0901 UTC, March 15, 2007.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

In response to public concern, the FAA approached the United States (U.S.) Customs Service and the U.S. Air Force Air Combat Command with a request to reduce the time of designation for R-6320. On June 15, 2006, the U. S. Customs Service and the U.S. Air Force concurred with reducing the time of designation from "Continuous" to "Intermittent by NOTAM." The reason for the change is because R-6320 is no longer continuously needed for the aerostat balloon.

## The Rule

The FAA is amending the time of designation for R-6320 from "Continuous" to "Intermittent by NOTAM." This rule makes no other changes to R-6320. This action reduces the burden on the public by reducing the time of designation. Therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

Section 73.63 of Title 14 CFR part 73 was republished in FAA Order 7400.8M, dated January 6, 2006.

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.

## Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with 311c., FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures". This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

## 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.

## § 73.63 [Amended]

■ 2. § 73.63 is amended as follows:

\* \* \* \* \*

## R-6320 Matagorda, TX [Amended]

Under Time of designation, by removing the word "Continuous" and inserting the words "Intermittent by NOTAM."

\* \* \* \* \*

Issued in Washington, DC on January 5, 2007.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. E7–392 Filed 1–11–07; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 121

[Docket No. FAA–2006–24277; Amendment No. 121–330]

**RIN 2120–AI75**

## Fire Penetration Resistance of Thermal/Acoustic Insulation Installed on Transport Category Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA extends, by 24 months, the date for operators to comply with the fire penetration resistance requirements of thermal/acoustic insulation used in transport category airplanes manufactured after September 2, 2007. This extension is from September 2, 2007, to September 2, 2009. This action is necessary to allow airframe manufacturers enough time, after getting an acceptable certification test facility, to select and certificate appropriate installations.

**DATES:** This amendment becomes effective February 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jeff Gardlin, FAA, Airframe and Cabin Safety Branch, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2136, facsimile (425) 227–1149, e-mail: [jeff.gardlin@faa.gov](mailto:jeff.gardlin@faa.gov).

## SUPPLEMENTARY INFORMATION:

## Availability of Rulemaking Documents

You can get an electronic copy using the Internet by:

(1) Searching the Department of Transportation's electronic Docket

Management System (DMS) Web page (<http://dms.dot.gov/search>);

(2) Visiting the FAA's Regulations and Policies Web page at [http://www.faa.gov/regulations\\_policies/](http://www.faa.gov/regulations_policies/); or

(3) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You can also get a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680. Make sure to identify the amendment number or docket number of this rulemaking.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://dms.dot.gov>.

## Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. If you are a small entity and you have a question regarding this document, you may contact its local FAA official, or the person listed under **FOR FURTHER INFORMATION CONTACT**. You can find out more about SBREFA on the Internet at [http://www.faa.gov/regulations\\_policies/rulemaking/sbre\\_act/](http://www.faa.gov/regulations_policies/rulemaking/sbre_act/).

## 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 III, Section 44701. Under that section, the FAA is charged with promoting safe flight of civil aircraft in air commerce by prescribing minimum standards required in the interest of safety for the design and performance of aircraft. This regulation is within the scope of that authority, because it prescribes new safety standards for the design of transport category airplanes.