

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

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle 1, 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 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the Ralph Wien Memorial Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

#### 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 14 CFR 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 Federal Aviation Administration Order 7400.9P, *Airspace Designations and Reporting Points*, dated September 1, 2006, and effective

September 15, 2006, is amended as follows:

\* \* \* \* \*

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

#### AAL AK E2 Kotzebue, AK [Revised]

Kotzebue, Ralph Wien Memorial Airport, AK  
(Lat. 66°53′05″ N., long. 162°35′55″ W.)  
Kotzebue VOR/DME, AK  
(Lat. 66°53′09″ N., long. 162°32′24″ W.)

Within a 4.3-mile radius of the Ralph Wien Memorial Airport, and within 2.4 miles each side of the 278° radial of the Kotzebue VOR/DME, extending from the 4.3-mile radius of the Ralph Wien Memorial Airport to 8.7 miles west of the Kotzebue VOR/DME, and within 2.4 miles each side of the 092° radial of the Kotzebue VOR/DME extending from the 4.3-mile radius of the Ralph Wien Memorial Airport to 7 miles east of the Kotzebue VOR/DME. 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 Supplement Alaska Airport/Facility Directory.

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

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#### AAL AK E5 Kotzebue, AK [Revised]

Kotzebue, Ralph Wien Memorial Airport, AK  
(Lat. 66°53′05″ N., long. 162°35′55″ W.)  
Kotzebue VOR/DME, AK  
(Lat. 66°53′08″ N., long. 162°32′24″ W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Ralph Wien Memorial Airport, and within 4 miles north and 8.2 miles south of the 278° radial of the Kotzebue VOR/DME extending from the 6.8-mile radius of the Ralph Wien Memorial Airport to 16.4 miles west of the Kotzebue VOR/DME; and within 8 miles north of the 092° radial of the Kotzebue VOR/DME, extending from the 6.8-mile radius of the Ralph Wien Memorial Airport to 16 miles west of the Kotzebue VOR/DME, and from the 063 radial of the Kotzebue VOR/DME clockwise to the 130° of the Kotzebue VOR/DME; and that airspace extending upward from 1,200 feet above the surface within a 74-mile radius of the Kotzebue VOR/DME.

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Issued in Anchorage, AK, on July 27, 2007.

**Anthony M. Wylie,**

*Manager, Alaska Flight Services Information Area Group.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2007–28147; Airspace Docket No. 07–AAL–08]

#### Revision of Class E Airspace; Noatak, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action revises Class E airspace at Noatak, AK to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). One Standard Instrument Approach Procedures (SIAP) is being amended for the Noatak Airport. A Departure Procedure (DP) is also being amended. This action revises existing Class E airspace upward from 700 feet (ft.) and 1,200 ft. above the surface at Noatak Airport, Noatak, AK.

**DATES:** *Effective Date:* 0901 UTC, October 25, 2007. 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 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, AAL–538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: <http://www.alaska.faa.gov/at>.

#### SUPPLEMENTARY INFORMATION:

##### History

On Tuesday, May 22, 2007, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at Noatak, AK (72 FR 28627). The action was proposed in order to create Class E airspace sufficient in size to contain aircraft while executing SIAPs for the Noatak Airport. Class E controlled airspace extending upward from 700 ft. above the surface and from 1,200 ft. above the surface in the Noatak Airport area is revised by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9P, *Airspace Designations and Reporting Points*, dated September 1, 2006, and effective September 15, 2006, 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.

### The Rule

This amendment to 14 CFR part 71 revises Class E airspace at the Noatak Airport, Alaska. This Class E airspace is revised to accommodate aircraft executing amended DPs and SIAPs, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the Noatak Airport, Noatak, Alaska.

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 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.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle 1, 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 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the

Noatak Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

### 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 14 CFR 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 Federal Aviation Administration Order 7400.9P, *Airspace Designations and Reporting Points*, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

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

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#### AAL AK E5 Noatak, AK [Revised]

Noatak Airport, AK  
(Lat. 67°33′58″ N., long. 162°58′30″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Noatak Airport; and that airspace extending upward from 1,200 feet above the surface within a 73-mile radius of the Noatak Airport.

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Issued in Anchorage, AK, on July 27, 2007.

**Anthony M. Wylie,**  
*Manager, Alaska Flight Services Information Area Group.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2007–28148; Airspace Docket No. 07–AAL–09]

#### Revision of Class E Airspace; Ruby, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action revises Class E airspace at Ruby, AK to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Two new Standard Instrument Approach Procedures (SIAPs) are being developed for the Ruby Airport. This action revises existing Class E airspace upward from 700 feet (ft.) and 1,200 ft. above the surface at Ruby Airport, Ruby, AK.

**DATES:** *Effective Date:* 0901 UTC, October 25, 2007. 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 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, AAL–538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: <http://www.alaska.faa.gov/at>.

### SUPPLEMENTARY INFORMATION:

#### History

On Tuesday, May 22, 2007, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at Ruby, AK (72 FR 28629). The action was proposed in order to create Class E airspace sufficient in size to contain aircraft while executing SIAPs for the Ruby Airport. The Notice of Proposed Rulemaking contained airport location data, which has since been updated. The revised airport location coordinates are listed in this rule. Class E controlled airspace extending upward from 700 ft. above the surface and from 1,200 ft. above the surface, in the Ruby Airport area is revised by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9P, *Airspace Designations and Reporting Points*, dated September 1, 2006, and effective September 15, 2006, which is incorporated by