

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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. 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 I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of 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 amends controlled airspace at Forbes Field Airport, Topeka, KS.

#### 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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 Part 71.1 of the Federal Aviation Administration Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

##### ACE KS D Topeka, Forbes Field Airport, KS [Amended]

Topeka, Forbes Field Airport, KS  
(Lat. 38°57'03" N., long. 95°39'49" W.)  
Topeka, Forbes Field Airport ILS  
(Lat. 38°58'04" N., long. 95°40'50" W.)  
RIPLY LOM

(Lat. 38°53'06" N., long. 95°34'53" W.)

That airspace extending upward from the surface to and including 3,600 feet MSL within a 4.9-mile radius of Forbes Field Airport, and within 2.2 miles each side of the RIPLY LOM 317° bearing extending from the

4.9-mile radius to 5.3 miles northwest of the airport and within 1.8 miles each side of the Forbes Field Airport ILS Localizer southeast course extending from the 4.9-mile radius to 0.9 miles southeast of the RIPLY LOM. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

*Paragraph 6002 Class E Airspace Designated as Surface Areas*

\* \* \* \* \*

##### ACE KS E2 Topeka, Forbes Field Airport, KS [Amended]

Topeka, Forbes Field Airport, KS  
(Lat. 38°57'03" N., long. 95°39'49" W.)  
Topeka, Forbes Field Airport ILS  
(Lat. 38°58'04" N., long. 95°40'50" W.)  
RIPLY LOM  
(Lat. 38°53'06" N., long. 95°34'53" W.)

Within a 4.9-mile radius of Forbes Field Airport, and within 2.2 miles each side of the RIPLY LOM 317° bearing extending from the 4.9-mile radius to 5.3 miles northwest of the airport and within 1.8 miles each side of the Forbes Field Airport ILS Localizer southeast course extending from the 4.9-mile radius to 0.9 miles southeast of the RIPLY LOM.

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area*

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##### ACE KS E4 Topeka, Forbes Field, KS [Removed]

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

\* \* \* \* \*

##### ACE KS E5 Topeka, Forbes Field Airport, KS [Amended]

Topeka, Forbes Field Airport, KS  
(Lat. 38°57'03" N., long. 95°39'49" W.)  
Topeka, Forbes Field Airport ILS  
(Lat. 38°58'04" N., long. 95°40'50" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Forbes Field Airport, and within 3.1 miles each side of the Forbes Field Airport ILS localizer course extending from the 7.4-mile radius to 13 miles southeast of the airport, and within 3.5 miles each side of the Forbes Field Airport ILS localizer course extending from the 7.4-mile radius to 13 miles northwest of the airport.

\* \* \* \* \*

Issued in Fort Worth, Texas, on October 1, 2009.

**Walter L. Tweedy,**

*Acting Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E9–24618 Filed 10–15–09; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2009–0405; Airspace Docket No. 09–ASW–12]

#### Amendment of Class D and Class E Airspace; New Orleans NAS, LA

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class D and Class E airspace at New Orleans NAS, LA. Changes in control tower operating hours and cancellation of the NDB RWY 4 instrument approach for Class E airspace have made this action necessary for the continued safety and management of Instrument Flight Rule (IFR) operations at New Orleans NAS Alvin Callender Field.

**DATES:** 0901 UTC, December 17, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321–7716.

#### SUPPLEMENTARY INFORMATION:

##### History

On July 31, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class D and Class E airspace at New Orleans NAS, LA (74 FR 38141, Docket No. FAA–2009–0405). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class D airspace designations are published in paragraph 5000 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR Part 71.1. Class E airspace designations are published in paragraph 6002 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR Part 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

## The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by amending Class D and Class E airspace at New Orleans NAS Alvin Callender Field, LA, for the safety and management of IFR operations at the airport.

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, when promulgated, 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 U.S. 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 I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of 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 amends controlled airspace at New Orleans NAS Alvin Callender Field, LA.

### 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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 Part 71.1 of the Federal Aviation Administration Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

#### *Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

#### **ASW LA D New Orleans NAS, Alvin Callender Field, LA [Amended]**

New Orleans NAS, Alvin Callender Field, LA  
(Lat. 29°49’31” N., long. 90°02’06” W.)  
Harvey VORTAC

(Lat. 29°51’01” N., long. 90°00’11” W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.7-mile radius of New Orleans NAS Alvin Callender Field and within 1.3 miles each side of the 228° radial of the Harvey VORTAC extending from the 4.7-mile radius to 5.6 miles southwest of the airport, and within 1.3 miles each side of the 058° radial of the Harvey VORTAC extending from the 4.7-mile radius to 6 miles northeast of the airport, excluding that airspace within the New Orleans, LA, Class B airspace area. This Class D 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.

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#### *Paragraph 6002 Class E airspace designated as surface areas.*

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#### **ASW LA E2 New Orleans NAS, Alvin Callender Field, LA [Amended]**

New Orleans NAS, Alvin Callender Field, LA  
(Lat. 29°49’31” N., long. 90°02’06” W.)  
Harvey VORTAC

(Lat. 29°51’01” N., long. 90°00’11” W.)

Within a 4.7-mile radius of New Orleans NAS Alvin Callender Field and within 1.3 miles each side of the 228° radial of the Harvey VORTAC extending from the 4.7-mile radius to 5.6 miles southwest of the airport, and within 1.3 miles each side of the 058° radial of the Harvey VORTAC extending from the 4.7-mile radius to 6 miles northeast of the airport, excluding that airspace within the New Orleans, LA, Class B airspace area. 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.

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Issued in Fort Worth, Texas, on October 1, 2009.

**Walter L. Tweedy,**

*Acting Manager, Operations Support Group,  
ATO Central Service Center.*

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**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

[Docket No. FAA–2009–0536; Airspace  
Docket No. 09–ASW–14]

### Amendment of Class E Airspace; Many, LA

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace at Many, LA. Additional controlled airspace is necessary to accommodate Area Navigation (RNAV) Standard Instrument Approach Procedures (SIAP) at Hart Airport, Many, LA. This action also updates the geographic coordinates of the airport to coincide with the FAA’s National Aeronautical Charting Office. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at Hart Airport.

**DATES:** 0901 UTC, December 17, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321–7716.

### SUPPLEMENTARY INFORMATION:

#### History

On August 10, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace at Many, LA, adding additional controlled airspace extending upward from 700 feet above the surface, at Hart Airport, Many, LA. (74 FR 39908, Docket No. FAA–2009–0536). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9T, signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.