

under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### **PART 39—AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by removing Amendment 39-4645 (48 FR 21894, May 16, 1983), and by adding a new airworthiness directive (AD), Amendment 39-9633, to read as follows:

AD 96-11-08 Robinson Helicopter Company: Amendment 39-9633. Docket No. 95-SW-27-AD. Supersedes AD 82-23-51, Amendment 39-4645.

*Applicability:* Model R22 helicopters, serial numbers (S/N) 0002 to 2537, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (e) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

*Compliance:* Required within 30 days after the effective date of this AD, unless accomplished previously.

To minimize the possibility of pilot mismanagement of the main rotor (M/R) revolutions-per-minute (RPM), which could result in unrecoverable M/R blade stall and subsequent loss of control of the helicopter, accomplish the following:

(a) Adjust the A569-1 or -5 low-RPM warning unit so that the warning horn and

caution light activate when the M/R RPM is between 96% and 97% rotor RPM in accordance with the procedures contained in the Model R22 maintenance manual.

(b) For Model R22 helicopters that do not have a governor currently installed, install a Robinson Helicopter Company KI-67-2 Governor Field Installation Kit in accordance with the kit instructions.

(c) For Model R22 helicopters that have a throttle/collective governor currently installed, upgrade the governor with a Robinson Helicopter Company KI-67-3 Governor Upgrade Kit in accordance with the kit instructions.

(d) Upon accomplishment of paragraphs (b) or (c) of this AD, revise the FAA-approved Robinson Helicopter Company R22 Rotorcraft Flight Manual (RFM) to include the following statement in the Flight and Maneuver Limitations section. This may be accomplished by inserting a copy of this AD into the RFM.

"Flight prohibited with governor selected off, with exceptions for inflight system malfunction or emergency procedures training."

(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, Los Angeles Aircraft Certification Office, FAA. Operators shall submit their requests through FAA Principal Maintenance Inspectors, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(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 helicopter to a location where the requirements of this AD can be accomplished.

Issued in Fort Worth, Texas, on May 15, 1996.

Daniel P. Salvano,  
Manager, Rotorcraft Directorate, Aircraft Certification Service.  
[FR Doc. 96-13206 Filed 5-24-96; 8:45 am]  
BILLING CODE 4910-13-P

### **14 CFR Part 71**

**[Airspace Docket No. 95-AWA-7]**

### **Modification of the Offutt AFB, Class C Airspace Area; NE**

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

**ACTION:** Final rule.

**SUMMARY:** This rule will modify the Class C airspace area at Offutt AFB, NE, by eliminating the 1-mile exclusion around the South Omaha Airport due to its closure. In addition, this action will reduce controller workload.

**EFFECTIVE DATE:** 0901 UTC, August 15, 1996.

**FOR FURTHER INFORMATION CONTACT:** Bil Nelson, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-3075.

#### **SUPPLEMENTARY INFORMATION:**

##### **History**

On November 1, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to modify the Class C airspace area at Offutt AFB, NE (60 FR 55498). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received concerning the proposal. Except for editorial changes, this amendment is the same as that proposed in the notice. Class C airspace designations are published in paragraph 4000 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class C airspace designation listed in this document will be published subsequently in the Order.

##### **The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies the Class C airspace area at Offutt AFB, NE. This amendment eliminates the 1-mile exclusion around the South Omaha Airport due to its closure. The action returns this airspace to the surface area of the established Class C airspace.

##### **Regulatory Evaluation Summary**

Changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 directs that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic effect of regulatory changes on small entities. Third, the Office of Management and Budget directs agencies to assess the effect of regulatory changes on international trade. In conducting these analyses, the FAA has determined that this final rule is not "a significant regulatory action" as defined in the Executive Order and the Department of Transportation Regulatory Policies and Procedures.

This final rule will modify the Class C airspace area at Offutt AFB, NE. The

rule will delete the 1-mile airspace exclusion around South Omaha Airport and standardize air traffic operations.

#### *Costs*

The FAA has determined that the implementation of the final rule to modify the Class C airspace area at Offutt AFB, NE, will result in little or no cost to either the agency or aircraft operators. The elimination of the 1-mile airspace exclusion around the South Omaha Airport will not reduce aviation safety nor increase the risk of a midair collision because that airport is closed. Also, the revision to aeronautical charts to reflect the airspace modification will be part of the routine and periodic updating of charts. Finally, the FAA will not incur any additional administrative costs for either personnel or equipment.

#### *Benefits*

The final rule will generate benefits for system users and the FAA primarily in the form of enhanced operational efficiency. The final rule will provide additional controlled airspace for aircraft landing at and departing from the Offutt AFB, NE. Air traffic controllers will gain operational efficiency as they will be able to standardize air traffic operations.

#### *Final Regulatory Flexibility Determination*

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily and disproportionately burdened by Federal regulations. The RFA requires a Regulatory Flexibility Analysis if a final rule will have "a significant economic impact on a substantial number of small entities." FAA Order 2100.14A outlines the FAA's procedures and criteria for

implementing the RFA. Small entities are independently owned and operated small businesses and small not-for-profit organizations. A substantial number of small entities is defined as a number that is 11 or more and which is more than one-third of the small entities subject to this final rule.

The FAA determined that revising the Class C airspace area at Offutt AFB will not result in a significant economic impact on a substantial number of small entities. This determination was made because there are little or no costs associated with this final rule.

#### *International Trade Impact Assessment*

This final rule will not constitute a barrier to international trade, including the export of U.S. goods and services to foreign countries and the import of foreign goods and services into the United States. This final rule will not impose costs on aircraft operators or aircraft manufacturers in the United States or foreign countries. The modification of the Class C airspace area will only affect U.S. terminal airspace operating procedures at and in the vicinity of Offutt AFB, NE. This final rule will not have international trade ramifications because it is a domestic airspace matter that will not impose additional costs or requirements on affected entities.

#### *Conclusion*

In view of the minimal cost of compliance, the benefits of enhanced aviation safety, and increased operational efficiency of air traffic controllers, the FAA believes that this final rule is cost-beneficial.

#### *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—[AMENDED]**

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; 14 CFR 11.69.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

#### *Paragraph 4000—Subpart C—Class C Airspace*

\* \* \* \* \*

ACE NE C Offutt AFB, NE [Revised]  
Offutt AFB, NE

(lat. 41°07'06"N, long. 95°54'45"W.)

That airspace extending upward from the surface to and including 5,000 feet MSL within a 5-mile radius of Offutt AFB, and that airspace extending upward from 2,500 feet MSL to and including 5,000 feet MSL within a 10-mile radius of the Offutt AFB excluding that airspace designated as the Eppley Airfield, Omaha, NE, Class C airspace area.

\* \* \* \* \*

Issued in Washington, DC, on May 13, 1996

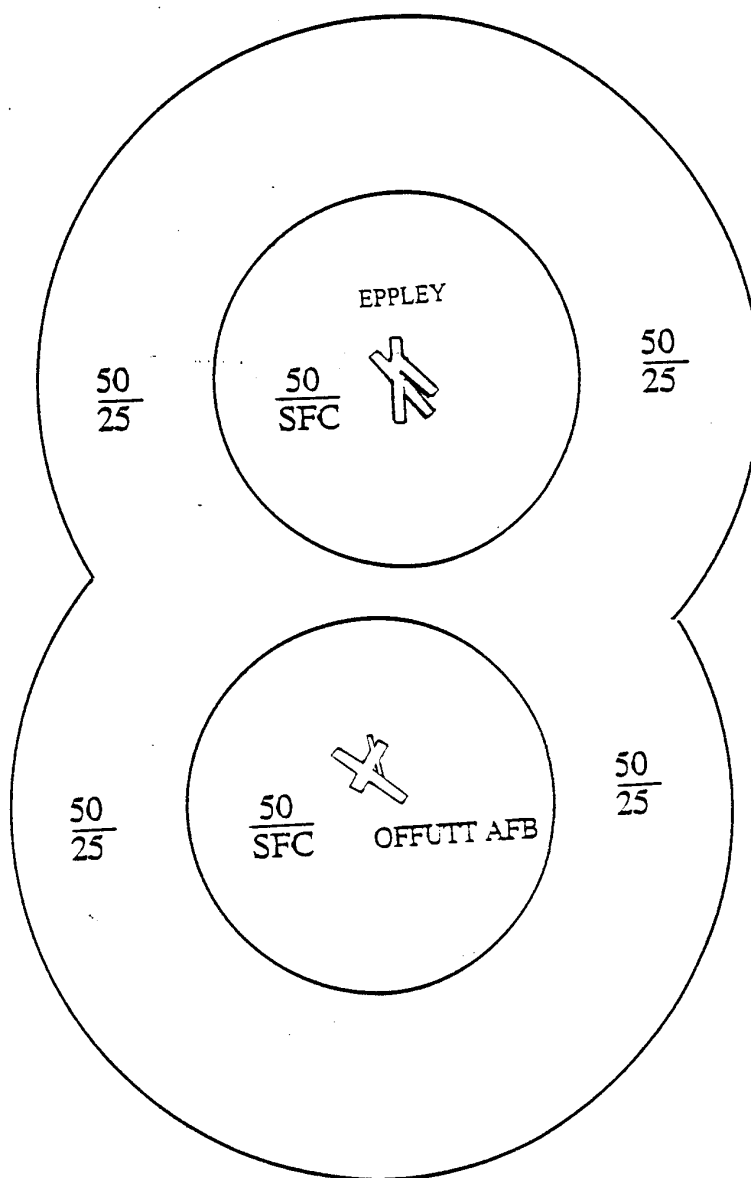
Harold W. Becker,

*Acting Program Director for Air Traffic,  
Airspace Management.*

BILLING CODE 4910–13–P

# OFFUTT AFB, NEBRASKA CLASS C AIRSPACE AREA

(Not to be used for navigation)



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