

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Airspace Docket No. 97-ASW-06]

## Revision of Class E Airspace; Ponca City, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

**SUMMARY:** This action revises the Class E surface airspace at Ponca City, OK. Communication capability and weather observations exist continuously for terminal instrument operations at Ponca City Municipal Airport. Therefore, Class E surface airspace should be continuous rather than designated as part-time Class E surface airspace. This action is intended to revise Class E surface airspace to provide controlled airspace for continuous terminal instrument operations at Ponca City Municipal Airport, Ponca City, OK.

**DATES:** *Effective:* 0901 UTC, September 11, 1997. *Comment date:* Comments must be received on or before July 7, 1997.

**ADDRESSES:** Send comments on the rule in triplicate to Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration Southwest Region, Docket No. 97-ASW-06, Fort Worth, TX 76193-0520. The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Room 663, Fort Worth, TX, between 9:00 AM and 3:00 PM, Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

**SUPPLEMENTARY INFORMATION:** This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) revises the Class E surface airspace, providing controlled airspace for continuous IFR terminal operations at Ponca City Municipal Airport, Ponca City, OK. Communication capability and weather observations exist continuously for terminal instrument

operations at Ponca City Municipal Airport. This revision will avoid confusion on the part of the pilots flying near the airport, and promote the safe and efficient handling of air traffic in the area. This action will revise the Class E surface airspace to provide continuous controlled airspace at Ponca City Municipal Airport, Ponca City, OK.

Class E airspace designations are published in paragraph 6002 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the order.

**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment and therefore is issuing it as a direct final rule. A substantial number of previous opportunities provided to the public to comment on substantially identical actions have resulted in negligible adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

**Comments Invited**

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the

effectiveness of this action and determining whether additional rulemaking action is needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-ASW-06." The postcard will be date stamped and returned to the commenter.

**Agency Findings**

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various level of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Further, the FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments and only involves an established body of technical regulations that require frequent and routine amendments to keep them operationally current. Therefore, I certify that 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) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. Since this rule involves routine matters that will only affect air traffic procedures and air navigation, it does not warrant preparation of a Regulatory Flexibility Analysis because the anticipated impact is so minimal.

**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 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, *Airspace Designations and Reporting Points*, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

**ASW OK E2 Ponca City, OK [Revised]**

Ponca City Municipal Airport, OK  
(Lat. 36°43'50" N, long. 097°05'59" W)  
Chums Waypoint  
(Lat. 36°35'19" N, long. 097°05'59" W)

Within a 4.1-mile radius of Ponca City Airport and within 2 miles each side of the 360° bearing from Chums Waypoint extending from the 4.1-mile radius to 4.7 miles south of the airport.

\* \* \* \* \*

Issued in Fort Worth, TX, on May 12, 1997.

**Albert L. Viselli,**

*Acting Manager, Air Traffic Division,  
Southwest Region.*

[FR Doc. 97–13571 Filed 5–22–97; 8:45 am]

BILLING CODE 4910–13–M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration**

[Airspace Docket No. 97–AEA–16]

**Amendment to Class E Airspace;  
Olean, NY**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment modifies the Class E airspace at Olean, NY, to accommodate two Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAP) to Runway (RWY) 22 and RWY 4 at Cattaraugus County-Olean Airport. The intended effect of this action is to provide adequate controlled airspace for instrument flight rules (IFR) operations at the airport.

**EFFECTIVE DATE:** 0901 UTC, July 17, 1997.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Francis Jordan, Airspace Specialist, Operations Branch, AEA–530, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building # 111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553–4521.

**SUPPLEMENTARY INFORMATION:****History**

On March 5, 1997, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by modifying Class E airspace at Olean, NY, (62 FR 9995). This action would provide adequate Class E airspace for IFR operations at Cattaraugus County-Olean Airport.

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 E airspace areas designations are published in paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E 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 Class E airspace area at Olean, NY, to accommodate a GPS RWY 22 SIAP and GPS RWY 4 SIAP and for IFR operations at Cattaraugus County-Olean Airport. The modification includes the airspace extending upward from 700 feet above the surface within a 10.3-mile radius of the airport and along a corridor running 10 miles northeast of the OLEAN non-directional radio beacon (NDB).

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 10034; 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 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—[AMENDED]**

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; EO 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 Federal Aviation Administration Order 7400.9D, *Airspace Designations and Reporting Points*, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

**AEA NY AEA E5 Olean, NY [Revised]**

Cattaraugus County-Olean Airport, NY  
(lat. 42°14'24"N, long. 78°22'18"W)  
OLEAN NDB  
(lat. 42°17'01"N, long. 78°20'06"W)

That airspace extending upward from 700 feet above the surface within a 10.3-mile radius of Cattaraugus County-Olean Airport and within 3.1 miles each side of the OLEAN NDB 032° bearing extending from the 10.3-mile radius to 10 miles northeast of the NDB.

\* \* \* \* \*

Issued in Jamaica, New York on May 7, 1997.

**John S. Walker,**

*Manager, Air Traffic Division, Eastern Region.*  
[FR Doc. 97–13587 Filed 5–22–97; 8:45 am]

BILLING CODE 4910–13–M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 97–AEA–001]

**Establishment of Class E Airspace;  
South New Castle, PA**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at South New Castle, PA, to accommodate a Standard Instrument Approach Procedure (SIAP), Helicopter Point In Space Approach based on the Global Positioning System (GPS),