

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 at Grafton, ND, to accommodate aircraft executing the GPS Runway 17 SIAP and the GPS Runway 35 SIAP at Grafton Municipal Airport by increasing the radius, and adding an extension to the north and an extension to the south, of the existing Class E airspace. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approaches. The area will be depicted on appropriate aeronautical charts.

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 will not have a 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 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, 9159–1963 comp., p. 389.

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

\* \* \* \* \*

### AGL ND E5 Grafton, ND [Revised]

Grafton Municipal Airport, ND  
(Lat. 48°24'17"N, long. 97°22'15"W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Grafton Municipal Airport and within 1 mile each side of the 360° bearing extending from the 6.5-mile radius to 9 miles north of the airport and within 1 mile each side of the 180° bearing extending from the 6.5-mile radius to 9 miles south of the airport.

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Issued in Des Plaines, Illinois on July 29, 1997.

**Maureen Woods,**

*Manager, Air Traffic Division.*

[FR Doc. 97–22495 Filed 8–22–97; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

[Airspace Docket No. 97–AGL–19]

### Establishment of Class E Airspace; SD

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace within the State of South Dakota, west of Winner, SD. This airspace action allows more flexibility for Part 135 and air ambulance operators and provides a safer environment for all aircraft flying in the described controlled airspace. Controlled airspace extending upward from 1200 feet above ground level (AGL) is needed to contain aircraft executing instrument flight rules (IFR) operations. The intended effect of this action is to provide segregation of aircraft using instrument procedures in instrument conditions from other aircraft operating in visual weather conditions.

**EFFECTIVE DATE:** 0901 UTC, November 6, 1997.

**FOR FURTHER INFORMATION CONTACT:** Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL–520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7568.

### SUPPLEMENTARY INFORMATION:

### History

On Wednesday, May 21, 1997, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR

part 71) to establish Class E airspace within the State of South Dakota, west of Winner, SD (62 FR 27706). The proposal was to add controlled airspace extending upward from 1200 feet AGL to contain IFR operations in controlled airspace while transiting between the enroute and terminal environments.

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 designations for airspace areas extending upward from 700 feet or more above the surface of the earth 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) establishes Class E airspace within the State of South Dakota, west of Winner, SD. This airspace action provides adequate Class E airspace for operators executing IFR operations within the described controlled airspace. Controlled airspace extending upward from 1200 feet AGL is needed to contain aircraft executing IFR operations. The area will be depicted on appropriate aeronautical charts.

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 will not have a 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 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 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 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**AGL SD E5 South Dakota, SD [New]**

That airspace extending upward from 1,200 feet above the surface within an area bounded on the north by latitude 43°40'00"N, on the east by longitude 100°05'00"W, on the south by the South Dakota, Nebraska border, and on the west by longitude 102°00'02"W.

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Issued in Des Plaines, Illinois on July 29, 1997.

**Maureen Woods,**

*Manager, Air Traffic Division.*

[FR Doc. 97–22497 Filed 8–22–97; 8:45 am]

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**FEDERAL TRADE COMMISSION****16 CFR Part 305**

**Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")**

**AGENCY:** Federal Trade Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Trade Commission ("Commission") amends its Appliance Labeling Rule by publishing new ranges of comparability to be used on required labels for dishwashers. The Commission also announces that the current ranges of comparability for storage-type water heaters, heat pump water heaters, instantaneous water heaters, pool heaters, room air conditioners, furnaces, boilers, and split-system and single package central air conditioners and heat pumps will remain in effect until further notice. Finally, the Commission amends the portions of Appendices H (Cooling Performance and Cost for Central Air Conditioners) and I (Heating

Performance and Cost for Central Air Conditioners) to Part 305 that contain cost calculation formulas. These amendments change the figures in the formulas to reflect the current Representative Average Unit Cost of Electricity that was published in November, 1996, by the Department of Energy ("DOE").

**EFFECTIVE DATE:** November 24, 1997.

**FOR FURTHER INFORMATION CONTACT:** James Mills, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202–326–3035).

**SUPPLEMENTARY INFORMATION:** The Appliance Labeling Rule ("Rule") was issued by the Commission in 1979 (44 FR 66466 (Nov. 19, 1979)) in response to a directive in the Energy Policy and Conservation Act of 1975.<sup>1</sup> 42 U.S.C. 6294. The Rule covers eight categories of major household appliances: refrigerators and refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters (this category includes storage-type water heaters, instantaneous water heaters, and heat pump water heaters), room air conditioners, furnaces (this category includes boilers), and central air conditioners (this category includes heat pumps). The Rule also covers pool heaters (59 FR 49556 (Sept. 28, 1994)) and contains requirements that pertain to fluorescent lamp ballasts (54 FR 28031 (July 5, 1989)), certain plumbing products (58 FR 54955 (Oct. 25, 1993)), and certain lighting products (59 FR 25176 (May 13, 1994, eff. May 15, 1995)).

The Rule requires manufacturers of all covered appliances and pool heaters to disclose specific energy consumption or efficiency information (derived from the DOE test procedures) at the point of sale in the form of an "EnergyGuide" label and in catalogs. It also requires manufacturers of furnaces, central air conditioners, and heat pumps either to provide fact sheets showing additional cost information, or to be listed in an industry directory showing the cost information for their products. The Rule requires that manufacturers include, on labels and fact sheets, an energy consumption or efficiency figure and a "range of comparability." This range shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of other

<sup>1</sup> The statute also requires DOE to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

models (perhaps competing brands) similar to the labeled model. The Rule requires that manufacturers also include, on labels for some products, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the Rule requires manufacturers, after filing an initial report, to report annually (by specified dates for each product type<sup>2</sup>) the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and drop others, the data base from which the ranges of comparability are calculated is constantly changing. Under § 305.10 of the Rule, to keep the required information on labels consistent with these changes, the Commission publishes new ranges (but not more often than annually) if an analysis of the new information indicates that the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission publishes a statement that the prior ranges remain in effect for the next year.

The annual submissions of data for dishwashers, room air conditioners, central air conditioners and heat pumps (including single package units and split systems), water heaters (including storage-type, instantaneous, and heat pump water heaters), furnaces, boilers, and pool heaters have been made and have been analyzed by the Commission.

The ranges of comparability for room air conditioners, split system and packaged unit central air conditioners and heat pumps, storage-type water heaters, instantaneous water heaters, heat pump water heaters, furnaces, boilers and pool heaters have not changed by more than 15% from the current ranges for these products. Therefore, these ranges will remain in effect until further notice.<sup>3</sup>

<sup>2</sup> Reports for room air conditioners, water heaters (storage-type, instantaneous, and heat pump-type), furnaces, boilers, and pool heaters are due May 1; reports for dishwashers are due June 1; reports for central air conditioners and heat pumps are due July 1.

<sup>3</sup> The current ranges of comparability for gas-fired instantaneous water heaters and central air conditioners and heat pumps (both split system and single package units) were published on September 16, 1996 (61 FR 48620). The current ranges for storage-type water heaters, furnaces, and boilers were published on September 23, 1994 (59 FR 48796). The current ranges for heat pump water heaters, pool heaters, and room air conditioners (originally) were published on August 21, 1995 (60 FR 43367). A corrected version of the ranges for