

Issued in Des Plaines, Illinois on November 26, 1997.

Maureen Woods,

Manager, Air Traffic Division.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-AGL-50]

Proposed Establishment of Class E Airspace; Cooperstown, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish Class E airspace at Cooperstown, ND. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway 13 and a GPS SIAP to Runway 31 have been developed for Cooperstown Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) and controlled airspace extending upward from 1,200 feet AGL is needed to contain aircraft executing the approaches. This proposal would create controlled airspace both at Cooperstown Municipal Airport and include previously uncontrolled airspace nearby the airport.

DATES: Comments must be received on or before January 23, 1998.

ADDRESSES: *Comments:* Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 97-AGL-50, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

Docket: The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Operations Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

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

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 97-AGL-50." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, S.W., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR part 71 to establish Class E airspace at Cooperstown, ND, to accommodate aircraft executing the GPS Runway 13

and GPS Runway 31 SIAPs at Cooperstown Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet AGL within a 6.3-mile radius of Cooperstown Municipal Airport, and controlled airspace extending upward from 1,200 feet AGL in three previously uncontrolled Class G airspace areas is needed to contain aircraft executing the instrument flight rules arrival routing from the northwest and southeast and the proposed approaches. This proposal would create Class E airspace at Cooperstown Municipal Airport and in three Class G airspace areas: the entire existing Class G airspace area above Cooperstown, ND; the entire existing Class G airspace area approximately halfway between Cooperstown, ND, and Devils Lake, ND, and which overlies Johnson Lake National Wildlife Refuge, ND; and that portion of the existing Class G airspace area between Cooperstown, ND, and Valley City, ND, which lies west of longitude 97°49'30"W. The areas would be depicted on appropriate aeronautical charts. Class E airspace designations extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore this, proposed 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 proposed 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).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal

Aviation Administration proposes to amend 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 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 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, 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 Cooperstown, ND [New]

Cooperstown Municipal Airport, ND
(Lat. 47°25'22"N, long. 98°06'21"W)

Devils Lake VORTAC
(Lat. 48°06'48"N, long. 98°54'29"W)

Grand Forks Air Force Base, ND
(Lat. 47°57'40"N, long. 97°24'04"W)

Valley City Barnes County Municipal Airport, ND

(Lat. 46°56'28"N, long. 98°01'03"W)

Jamestown VOR/DME
(Lat. 46°55'58"N, long. 98°40'44"W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Cooperstown Municipal Airport and that airspace extending upward from 1,200 feet above the surface within an area bounded on the east by longitude 97°49'30"W, on the south by the 7.9-mile radius of the Valley City Barnes County Municipal Airport and by V2–520, on the southwest by the 16.5-mile radius of the Jamestown VOR/DME and on the west by V561; that airspace bounded on the northwest by the 34-mile arc of the Grand Forks Air Force Base, on the east by V561, on the southwest by the 16.5-mile radius of the Jamestown VOR/DME and V170, and on the west by V55; and that airspace bounded on the north by V430, on the east by the 34-mile arc of the Grand Forks Air Force Base, on the south by V55, on the west by V170, and on the northwest by the 22-mile radius of the Devils Lake VORTAC.

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Issued in Des Plaines, Illinois on November 24, 1997.

David B. Johnson,

Acting Manager, Air Traffic Division.

[FR Doc. 97–33283 Filed 12–19–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 55

[AMS–FRL–5938–7]

RIN 2060–AH62

IM Program Requirement—On-Board Diagnostic Checks; Amendment to the Final Rule

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to change a provision of the federal vehicle inspection and maintenance (I/M) rules relating to the implementation deadline by which states are required to begin On-Board Diagnostic (OBD) checks as a routine part of basic and enhanced I/M programs. The current rule requires Ozone Transport Region (OTR) areas with low enhanced programs to implement OBD checks by January 1, 1999, and all other areas to implement OBD checks by January 1, 1998. This notice proposes to delay for a period of up to three years the required implementation deadline for OBD in those areas. This proposed amendment will set a new implementation date for OBD checks as January 1, 2001 for all areas with basic and enhanced I/M programs. During this time extension the Agency will generate, collect and analyze the data necessary to accord OBD checks the appropriate level of emission reduction credits.

Additionally, certain clarifying amendments are being proposed to allow for updates to the Code of Federal Regulations which are cross-referenced in the OBD rule.

DATES: Written comments on this proposal must be received no later than January 6, 1998.

ADDRESSES: Materials relevant to this proposed rulemaking are contained in the Public Docket No. A–94–21. The docket is located at the Air Docket, Room M–1500 (6102), Waterside Mall SW., Washington, DC 20460. The docket may be inspected between 8:30 a.m. and 12 noon and between 1:30 p.m. until 5:30 p.m. on weekdays. A reasonable fee may be charged for copying docket material. The preamble, regulatory language and regulatory support document are also available electronically from the EPA internet Web site. This service is free of charge, except for any cost one may already incur for internet connectivity. The official **Federal Register** version is made available on the day of publication on the primary Web site listed below. The

EPA Office of Mobile Sources also publishes these notices on the secondary Web site listed below.

<http://www.epa.gov/EPA-AIR/> (either select desired date or use Search feature)

<http://www.epa.gov/OMSWWW/> (look in What's New or under the specific rulemaking topic)

Please note that due to differences between the software used to develop the document and the software into which the document may be downloaded, minor changes in format, pagination, etc. may occur.

FOR FURTHER INFORMATION CONTACT:

Leila Cook, Office of Mobile Sources, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Road, Ann Arbor, Michigan, 48105. Telephone (313) 741–7820.

SUPPLEMENTARY INFORMATION:

Regulated Entities. Entities potentially regulated by the minor amendment to the I/M rule are those which adopt, approve, or fund I/M programs. Regulated categories and entities include:

Category	Examples of regulated entities
Local government	Local air quality agencies.
State government	State air quality agencies responsible for I/M programs.
Federal government ..	DOT.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities of which EPA is now aware that could potentially be regulated by this proposed I/M amendment. Other types of entities not listed in the table could also be regulated. To determine whether your organization is regulated by this action, you should carefully examine the applicability criteria of 40 CFR 51.350 of the I/M rule. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Summary of Rule

Under the Clean Air Act as amended in 1990 (the Act), 42 U.S.C. 7401 et. seq., the U.S. Environmental Protection Agency (EPA) published in the **Federal Register** on November 5, 1992 (40 CFR part 51, subpart S) rules relating to motor vehicle inspection and maintenance (I/M) programs (hereafter referred to as the I/M rule; see 57 FR