

North Capitol Street, NW., suite 700, Washington, DC.

(h) This Amendment supersedes AD 96-09-08 R1, Amendment 39-9690.

(i) This Amendment (39-10263) becomes effective on January 22, 1998.

Issued in Kansas City, Missouri, on December 16, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-33512 Filed 12-29-97; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

14 CFR Part 73

[Airspace Docket No. 97-ANE-101]

RIN 2120-AA66

Change of Using Agency for Restricted Areas R-4105A and R-4105B; No Man's Land Island, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action changes the using agency for Restricted Areas R-4105A (R-4105A) and R-4105B (R-4105B), No Man's Land Island, MA, from the "U.S. Navy, Commanding Officer, Naval Air Station (NAS) South Weymouth, MA," to "Air National Guard (ANG), 104th Fighter Wing, Barnes Municipal Airport, Westfield, MA." This change is required due to the closure of NAS South Weymouth.

EFFECTIVE DATE: 0901 UTC, February 26, 1998.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Background

The Defense Base Realignment and Closure Commission directed the closure of NAS South Weymouth, MA, which is currently the designated using agency for R-4105A and R-4105B. However, the ANG 104th Fighter Wing has been a long-time co-user of the range and, as such, has a continuing requirement for these restricted areas. By this action, the 104th Fighter Wing is being designated as the using agency since it has become the primary user of the restricted areas.

The Rule

This action amends 14 CFR part 73 by changing the using agency for R-4105A

and R-4105B, No Man's Land Island, MA, from "U.S. Navy, Commanding Officer, NAS South Weymouth, MA," to "ANG, 104th Fighter Wing, Barnes Municipal Airport, MA." This administrative change will not alter the boundaries, altitudes, time of designation, or activities conducted within the restricted areas; therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary. Section 73.41 of part 73 was republished in FAA Order 7400.8E, dated November 7, 1997.

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. It, therefore—(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.

Environmental Review

This action is a minor administrative change to amend the designated using agency of existing restricted areas. There are no changes to air traffic control procedures or routes as a result of this action. Therefore, this action is not subject to environmental assessments and procedures in accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 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.

§ 73.41 [Amended]

2. § 73.41 is amended as follows:

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R-4105A No Man's Land Island, MA [Amended]

By removing "Using agency. U.S. Navy, Commanding Officer, NAS South Weymouth, MA" and adding "Using agency. ANG, 104th Fighter Wing, Barnes Municipal Airport, Westfield, MA" in its place.

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R-4105B No Man's Land Island, MA [Amended]

By removing "Using agency. U.S. Navy, Commanding Officer, NAS South Weymouth, MA" and adding "Using agency. ANG, 104th Fighter Wing, Barnes Municipal Airport, Westfield, MA" in its place.

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Issued in Washington, DC, on December 19, 1997.

Nancy B. Kalinowski,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 97-33867 Filed 12-29-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-ANM-22]

RIN 2120-AA66

Modification of VOR Federal Airway V-204; Yakima, WA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action reduces the width of Very High Frequency Omnidirectional Range (VOR) Federal Airway V-204 east of the Yakima, WA, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC) from 4 to 3 nautical miles (NM) north of the airway centerline. Currently, the northern edge of V-204 penetrates Special Use Airspace Restricted Area R-6714 (R-6714), thus creating an inefficient and potentially hazardous situation. The FAA is taking this action to enhance the safety and efficiency of aircraft operations in the vicinity of Yakima VORTAC.

EFFECTIVE DATE: 0901 UTC, February 26, 1998.

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) 267-8783.

SUPPLEMENTARY INFORMATION:

The Rule

This action amends 14 CFR part 71 by modifying V-204. Specifically, this action reduces the width of the V-204 from 4 to 3 NM north of the airway centerline, along a portion of the Federal airway between the Yakima VORTAC and the PAPPS Intersection. The standard width of a VOR Federal airway is 8 NM (4 NM each side of the airway centerline). Currently, the northern edge of V-204 penetrates R-6714. This penetration increases the potential for conflict between aircraft operating along that portion of V-204 and users operating within R-6714, and reduces air traffic control efficiency by preventing simultaneous use of V-204 and R-6714 during nonradar operations. Since V-204, as currently described, penetrates R-6714, immediate, corrective action is required in the interest of flight safety. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest. The FAA is taking this action to enhance the safety and efficiency of aircraft operations in the vicinity of the Yakima VORTAC.

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.

Domestic VOR Federal airways are published in paragraph 6010(a) 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 airway listed in this document will be published subsequently in the Order.

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, 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 6010(a)—Domestic VOR Federal Airways

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V-204 [Revised]

From Hoquiam, WA; Olympia, WA; INT Olympia 114° and Yakima, WA, 271° radials; Yakima; 25 miles, 7 miles wide (3 miles N and 4 miles S of centerline) INT Yakima 087° and Pasco, WA, 269° radials; Pasco; INT Pasco 035° and Spokane, WA, 221° radials; to Spokane.

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Issued in Washington, DC, on December 19, 1997.

Reginald C. Matthews,

Acting Program Director for Air Traffic Airspace Management.

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

[Airspace Docket No. 97-QWP-2]

RIN 2120-AA66

Amendment of Legal Descriptions of Federal Airways; Porterville, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the legal descriptions of two Federal airways that include the Porterville Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) as part of their route structure. Currently, the VOR/DME and the

Porterville Municipal Airport share the "Porterville" name, even though they are not collocated. This situation has led to confusion among users. To eliminate this confusion, the "Porterville VOR/DME" will be renamed the "Tule VOR/DME." The effective date of this name change will coincide with this rulemaking action. This action amends the legal descriptions of those airways affected by the VOR/DME name change. **EFFECTIVE DATE:** 0901 UTC, February 26, 1998.

FOR FURTHER INFORMATION CONTACT: Bill 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) 267-8783.

SUPPLEMENTARY INFORMATION:

The Rule

This action amends 14 CFR part 71 (part 71) by amending the legal descriptions of VOR Federal Airways V-165 and V-459. Currently, the VOR/DME and the Porterville Municipal Airport share the name "Porterville." The fact that the VOR/DME is located approximately 7.3 Nautical Miles southeast of the airport has led to confusion among users because the VOR/DME and the airport are not collocated. To eliminate the confusion, the "Porterville VOR/DME" will be renamed the "Tule VOR/DME." Due to the name change of the Porterville navigational aid, the FAA is taking this action to amend the affected VOR Federal airways to reflect the VOR/DME name change.

Since this action merely involves changes in the legal description of Federal airways, and does not involve a change in the dimensions or operating requirements of that airspace, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

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