

Register on March 20, 1998 (63 FR 13508). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA anticipates that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, was received within the comment period, the regulation would become effective on June 18, 1998.

Two comments were received. Both commenters support the rule. However, one of the commenters requests clarification of the applicability of the rule, which is stated in the direct final rule as follows:

“Applicability: Model A320–111 series airplanes, as identified in Airbus Service Bulletin A320–57–1056, Revision 1, dated July 15, 1997, including Appendix 1; certificated in any category.”

The commenter notes that when an operator is not affected by a service bulletin, that operator only receives a copy of the summary section of the service bulletin. The summary of a service bulletin provides a list of affected operators; it does not provide manufacturer's serial numbers for the affected airplanes. This results in difficulty for an operator, a leasing group, or other non-technical group to evaluate any pending or applicable rules against a specific airplane serial number. Therefore, the commenter proposes that the applicability of the rule reference specific serial numbers for affected airplanes, as follows.

“Applicability: Model A320 series airplanes having manufacturer's serial numbers 002 through 008 inclusive; 010 through 014 inclusive; and 016 through 018 inclusive; certificated in any category.”

The FAA concurs that this AD applies to the airplanes identified by the commenter. The applicability, as presented in the rule, is equivalent to the applicability suggested by the commenter. Therefore, the FAA finds that no change to the rule is necessary. As the commenter points out, those operators that are affected by the rule will receive the entire service bulletin (not just the summary) and will, therefore, be informed of the specific serial numbers to which this AD applies.

The same commenter also requests clarification of the cost impact information. The commenter notes that this information specifies that there are 118 Model A320–111 airplanes of U.S. registry. The commenter indicates that

only 22 Model A320–100 series airplanes were manufactured, and that none of these are on the U.S. Register. The commenter believes that the number 118 reflects all Model A319 and A320 airplanes on the U.S. Register, and not the actual number of Model A320–100 series airplanes. The commenter adds that Model A319–100 series airplanes are being manufactured, and are on the U.S. Register, but are not considered to be Model A320–100 series airplanes.

The FAA concurs with the clarification provided by the commenter. The number of airplanes affected by the direct final rule reflects the FAA's estimation of the total number of Airbus Model A319, A320, and A321 series airplanes currently on the U.S. register. However, no change to the direct final rule is necessary, since it indicates that none of the affected airplanes are on the U.S. Register.

No adverse comments were received, and thus this notice confirms that this final rule will become effective on that date.

Issued in Renton, Washington, on May 27, 1998.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98–14609 Filed 6–2–98; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98–AWP–14]

Revision of Class D and Establishment of Class E Airspace; Yuma MCAS–Yuma International Airport, AZ

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action will amend the Class D airspace area operating times and establish a Class E airspace surface area at Yuma MCAS–Yuma International Airport, Yuma, AZ. In April of 1998 the U.S. Marines reduced the hours of operation of the Air Traffic Control Tower (ATCT) at Yuma MCAS. The reduction of the ATCT hours of operation has made this action necessary. The intended effect of this action is to modify the hours of the Yuma Class D airspace area in the legal description of the controlled airspace and establish a Class E airspace surface area to contain instrument operations

during times the ATCT is closed. This action does not involve a change in the dimensions or operating requirements of that airspace containing Instrument Flight Rules (IFR) operations at Yuma MCAS–Yuma International Airport, Yuma, AZ.

DATES: *Effective:* 0901 UTC August 13, 1998. *Comment date:* Comments for inclusion in the Rules Docket must be received on or before July 6, 1998.

ADDRESSES: Send comments on the direct final rule in triplicate to: Federal Aviation Administration, Attn: Manager, Airspace Branch, AWP–520, Docket No. 98–AWP–14, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western-Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California 90261.

An informal docket may also be examined during normal business hours at the Office of the Manager, Airspace Branch, Air Traffic Division at the above address.

FOR FURTHER INFORMATION CONTACT:

Debra Trindle, Airspace Specialist, Airspace Branch, AWP–520, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725–6613.

SUPPLEMENTARY INFORMATION: This action will change the airspace legal description to reflect the new operating hours of the Class D airspace area of the Yuma MCAS–Yuma International Airport and establish a Class E airspace surface area to be effective during times the Yuma ATCT is closed. The 1998 reduction of the ATCT hours of operation has made this action necessary. The intended effect of this action is to modify the hours of the Yuma Class D airspace area in the legal description of the controlled airspace and establish a Class E Airspace surface area to contain instrument operations during times the ATCT is closed. Class D airspace areas are published in Paragraph 5000 and Class E airspace surface areas are published in Paragraph 6002 of FAA Order 7400.9D dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designation listed in this document would be published subsequently in this 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. 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 published 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 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 the additional rulemaking action would be 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. 98-AWP-14." 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 levels 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.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, 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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR 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 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 5000 Class D Airspace

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AWP AZ D YUMA AZ [Revised]

Yuma MCAS—Yuma International Airport, AZ

(Lat. 32°39'23"N, long. 114°36'22"W)

Somerton Airport, AZ

(Lat. 32°36'03"N, long. 114°39'57"W)

That airspace extending upward from the surface to and including 2,700 feet MSL within a 5.2-mile radius of Yuma MCAS/ Yuma International Airport, excluding that airspace from the surface up to and including 300 feet above the surface within a 1-mile radius of the Somerton Airport west of a line one-quarter mile northeast of and parallel to the Somerton Airport northwest-southeast runway. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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

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AWP AZ E2 YUMA AZ [Revised]

Yuma MCAS—Yuma International Airport, AZ

(Lat. 32°39'23"N, long. 114°36'22"W)

Somerton Airport, AZ

(Lat. 32°36'03"N, long. 114°39'57"W)

That airspace, within a 5.2-mile radius of Yuma MCAS/Yuma International Airport, excluding that airspace from the surface up to and including 300 feet above the surface within a 1-mile radius of the Somerton Airport west of a line one-quarter mile northeast of and parallel to the Somerton Airport northwest-southeast runway. The Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Los Angeles, California, on May 19, 1998.

Sherry Avery,

Acting Assistant Manager, Air Traffic Division, Western-Pacific Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AWP-2]

Modification of Class E Airspace; Porterville, CA; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule, correction.