

determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related 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-ACE-24." 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, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, 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

The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 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 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.

* * * * *

ACE IA E5 Newton, IA [Revised]

Newton Municipal Airport, IA
(lat. 41°40'28"N., long. 93°01'18"W.)
Newton VOR/DME
(lat. 41°47'02"N., long. 93°06'32"W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Newton Municipal Airport and within 2.6 miles each side of the 149° radial of the Newton VOR/DME extending from the 6.7-mile radius to the VOR/DME excluding that airspace within the Grinnell, IA, Class E airspace area.

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Issued in Kansas City, MO, on July 10, 1998.

Christopher R. Blum,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 98-20117 Filed 7-27-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ANE-93]

Establishment of Class E Airspace; Fitchburg, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action establishes a Class E5 airspace area at Fitchburg, MA, to provide for adequate controlled airspace for those aircraft using the new GPS RWY 32 Instrument Approach Procedure to Fitchburg Municipal Airport, Fitchburg, MA (KFIT).

DATES: Effective 0901 UTC, October 8, 1998.

Comments for inclusion in the Rules Docket must be received on or before August 27, 1998.

ADDRESSES: Send comments on the proposal to: Manager, Airspace Branch, ANE-520, Federal Aviation Administration, Docket No. 98-ANE-93, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7520; fax (781) 238-7596. Comments may also be submitted electronically to the following Internet address: "9-ne-airspace-comments@faa.dot.gov". Comments sent electronically must indicate Docket No. 98-ANE-93 in the subject line.

The official docket file may be examined in the Office of the Regional Counsel, New England Region, ANE-7, Room 401, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7050; fax (781) 238-7055.

An informal docket may also be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, Operations Branch, at the first address listed above.

FOR FURTHER INFORMATION CONTACT: David T. Bayley, Airspace Branch, ANE-520.3, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7523; fax (781) 238-7596.

SUPPLEMENTARY INFORMATION: A new Standard Instrument Approach Procedure (SIAP) to Fitchburg Municipal Airport, Fitchburg, MA, the GPS RWY 32 approach, requires the establishment of Class E5 airspace extending upward from 700 feet above the surface in the vicinity of Fitchburg, MA. This action will provide adequate controlled airspace for those aircraft using the new GPS RWY 13 instrument approach. Class E airspace designations for airspace areas extending upward from 700 feet above the surface of the earth are published in paragraph 6500 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 will 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, issues it as a direct final rule. 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. 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 direct final rule, and was not preceded by a notice of proposed rulemaking, interested person 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 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-ANE-93." 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, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as these routine matters will only affect air traffic procedures and air navigation. It is certified that these proposed rules 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

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (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 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

* * * * *

ANE VT E5 Fitchburg, MA [New]

Fitchburg Municipal Airport, MA
(lat. 42°33'15" N, long. 71°45'32" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Fitchburg Municipal Airport; excluding that airspace within the Boston, MA, Class E airspace area.

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Issued in Burlington, MA, on July 21, 1998.

William C. Yuknewicz,

Assistant Manager, Air Traffic Division, New England Region.

[FR Doc. 98-20114 Filed 7-27-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-ANE-94]

Amendment to Class E Airspace; Bennington, VT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action revises the Class E5 airspace area at Bennington, VT, to provide for adequate controlled airspace for those aircraft using the new GPS RWY 13 Instrument Approach Procedure to William H. Morse State Airport, Bennington, VT (K5B5).

DATES: Effective 0901 UTC, October 8, 1998.

Comments for inclusion in the Rules Docket must be received on or before August 27, 1998.

ADDRESSES: Send comments to the proposal to: Manager, Airspace Branch, ANE-520, Federal Aviation Administration, Docket No. 98-ANE-95, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7520; fax (781) 238-7596. Comments may be submitted electronically to the following Internet address: "9-ne-airspace-comments@faa.dot.gov". Comments sent electronically must indicate Docket No. 98-ANE-94 in the subject line.

The official docket file may be examined in the Office of the Regional Counsel, New England Region, ANE-7, Room 401, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7050; fax (781) 238-7055.

An informal docket may be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, Operations Branch, at the first address listed above.

FOR FURTHER INFORMATION CONTACT: David T. Barley, Airspace Branch, ANE-502.3, 12 New England Executive Park,