

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 Number 98-NM-242-AD." The postcard will be date stamped and returned to the commenter.

Regulatory Impact

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 an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

98-18-14 Boeing: Amendment 39-10730. Docket 98-NM-242-AD.

Applicability: Model 757-200 series airplanes, certificated in any category; excluding the following line numbers:

2 75 221 127 130 162
180 209 212 219 388 526

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of essential electrical systems and a potential fire hazard for passengers and crewmembers due to damage or chafing of electrical wire bundles, accomplish the following:

(a) Within 90 days after the effective date of this AD, perform a one-time detailed visual inspection to detect damage or chafing of the electrical wire bundles having part numbers W2016-0001-12 and W2016-0002-16, and adjacent wiring; and to verify adequate clearance exists between the wire bundles and adjacent disconnect bracket. Pay particular attention to the area located on the looms behind the P11 panel near the AP0011 disconnect bracket.

(1) If no damage or chafing is detected, and adequate clearance exists, no further action is required by this AD.

(2) If damage or chafing is detected, and adequate clearance exists, prior to further flight, repair the wire bundles in accordance with Section 20-10-13 of the Boeing Standard Wiring Practices Manual.

(3) If no damage or chafing is detected and inadequate clearance exists, prior to further flight, modify the wire bundles to achieve adequate clearance, in accordance with Section 20-10-11 and 20-10-12 of the Boeing Standard Wiring Practices Manual.

(4) If damage or chafing is detected and inadequate clearance exists, prior to further flight, repair the wire bundles in accordance with Section 20-10-13 of the Boeing Standard Wiring Practices Manual; and modify the wire bundles in accordance with Section 20-10-11 and 20-10-12 of the Boeing Standard Wiring Practices Manual.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on September 17, 1998.

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

Vi L. Lipski, Acting Manager,

Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-23620 Filed 9-1-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 94-ASO-9]

RIN 2120-AA66

Expansion of Restricted Area R-6002, Poinsett-Sumter, SC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action raises the upper limit of Restricted Area R-6002 from the current 13,000 feet mean sea level (MSL), up to and including Flight Level (FL) 230. The expanded restricted airspace is redesignated as three subdivisions: R-6002A, R-6002B, and R-6002C to facilitate real-time use of the airspace. The purpose of this amendment is to provide airspace for high-angle bomb delivery training at the Poinsett Range. In addition, the name of the using agency is changed to reflect the current organizational title.

EFFECTIVE DATE: 0901 UTC, October 8, 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

On November 23, 1994, the FAA proposed an amendment to part 73 of 14 CFR part 73 (59 FR 60339) to raise the upper limit of Restricted Area R-6002, Poinsett-Sumter, SC, from 13,000 feet MSL up to FL 230, and to reconfigure the airspace in three subareas as follows: R-6002A from the surface to but not including 13,000 feet MSL, R-6002B from 13,000 feet MSL to but not including FL 180, and R-6002C from FL

180 to FL 230. Additionally, the FAA proposed to change the name of the using agency, for the restricted areas, from "Commander, Shaw AFB, SC," to "U.S. Air Force, 20 Fighter Wing (FW), Shaw AFB, SC."

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments to the FAA. In response to this NPRM, the FAA received two comments, one from the Air Transport Association of America and one from USAir (now US Airways). An analysis of the comments received, along with the FAA's response, are detailed below:

Analysis of Comments

Those commenters responding to the notice expressed concern that the expansion of R-6002 would adversely impact air carrier operations between Charlotte Douglas International Airport, NC, and destinations in Florida. To address these concerns, the U.S. Air Force and the Jacksonville Air Route Traffic Control Center (ARTCC) reached an agreement on the use of the Poinsett Range which requires the application of real-time scheduling and activation/deactivation procedures and limits activation periods to avoid air carrier peak hours. In addition, the controlling agency may deny usage of the airspace, if required, due to peak traffic flow, severe weather, or other factors. The FAA believes that this agreement satisfactorily addresses the commenters' concerns.

The Rule

This amendment to 14 CFR part 73 (part 73) raises the upper altitude limit of the Poinsett Range from the current 13,000 feet MSL to FL 230, and changes the name of the using agency to reflect the current organizational title. The present lateral boundaries of the restricted area are not changed by this action. This action redesignates the current restricted area, R-6002, as R-6002A, extending from the surface to but not including 13,000 feet MSL. In addition, two new subareas are designated directly above R-6002A, as follows: R-6002B from 13,000 feet MSL to but not including FL 180; and R-6002C from FL 180 to FL 230. This configuration allows for the real-time utilization of airspace with the "B" and "C" subareas being activated when needed for high-angle weapons delivery training. The U.S. Air Force requested the higher vertical limits for R-6002 in order to conduct high altitude/high-angle bomb delivery training. Lessons learned during the Desert Storm Operation dictated that these tactics be added to mission training profiles. The

current 13,000 feet MSL ceiling does not provide sufficient vertical airspace to permit accomplishment of this essential training. This amendment also changes the name of the using agency for the restricted areas from "Commander, Shaw AFB, SC," to "U.S. Air Force, 20th FW, Shaw AFB, SC," to reflect the current title of the using agency. The coordinates for this airspace docket are based on North American Datum 83.

Section 73.60 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. 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.

Environmental Review

In February 1994, the U.S. Air Force issued a final environmental assessment (EA) for the Proposed Expansion of Poinsett Weapons Range, Sumter County, SC. In June 1998, the U.S. Air Force submitted a Final Supplement to the EA to the FAA. In July 1998, the FAA completed a reevaluation of the EA. The FAA determined that the airspace action evaluated in the EA is the same as that described in this final rule and that the EA, with the Final Supplement to the EA, adequately assesses and discloses the environmental impacts of the proposed action. The FAA concluded that the EA is valid and determined a Finding of No Significant Impact (FONSI) for the proposed action. This proposed Federal action is consistent with existing national environmental policies and objectives as set forth in section 101(a) of the National Environmental Policy Act (NEPA), as amended. This action would not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to section 102(2)(c) of the NEPA. To obtain a copy of the FAA FONSI, refer to the section titled **FOR FURTHER INFORMATION CONTACT**, above.

This decision to approve the proposed special use airspace action constitutes an order of the Administrator issued pursuant to 49 U.S.C. 40103(b) and is reviewable before the United States courts of appeals in accordance with the provisions of 49 U.S.C. 46110 (formerly 1006 of the Federal Aviation Act of 1958, as amended). This order constitutes final agency action under 49 U.S.C. 46110. Any party having a substantial interest may appeal this order to the courts of appeals of the United States or the United States Court of Appeals for the District of Columbia upon petition, filed within 60 (sixty) days after issuance of this order.

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.

§ 73.60 [Amended]

2. § 73.60 is amended as follows:

* * * * *

R-6002 Poinsett-Sumter, SC [Remove]

R-6002A Poinsett-Sumter, SC [New]

Boundaries. Beginning at lat. 33°54'25"N., long. 80°24'11"W.; to lat. 33°46'26"N., long. 80°23'11"W.; to lat. 33°44'28"N., long. 80°31'41"W.; to lat. 33°50'14"N., long. 80°31'02"W.; to lat. 33°53'38"N., long. 80°31'02"W.; to the point of beginning.

Designated altitudes. Surface to but not including 13,000 feet MSL.

Time of designation. 0600–2400 local time Monday–Friday; 0800–1600 local time Saturday; other times by NOTAM at least 8 hours in advance.

Controlling agency. FAA, Jacksonville ARTCC.

Using agency. U.S. Air Force, 20 FW, Shaw AFB, SC.

R-6002B, Poinsett-Sumter, SC [New]

Boundaries. Beginning at lat. 33°54'25"N., long. 80°24'11"W.; to lat. 33°46'26"N., long. 80°23'11"W.; to lat. 33°44'28"N., long. 80°31'41"W.; to lat. 33°50'14"N., long. 80°31'02"W.; to lat. 33°53'38"N., long. 80°31'02"W.; to the point of beginning.

Designated altitudes. 13,000 feet MSL to but not including FL 180.

Time of designation. 0600–2400 local time Monday–Friday; 0800–1600 local time Saturday; other times by NOTAM at least 8 hours in advance.

Controlling agency. FAA, Jacksonville
ARTCC.

Using agency. U.S. Air Force, 20 FW, Shaw
AFB, SC.

R-6002C, Poinsett-Sumter, SC [New]

Boundaries. Beginning at lat. 33°54'25"N.,
long. 80°24'11"W.; to lat. 33°46'26"N.,
long. 80°23'11"W.; to lat. 33°44'28"N.,
long. 80°31'41"W.; to lat. 33°50'14"N.,
long. 80°31'02"W.; to lat. 33°53'38"N.,
long. 80°31'02"W; to the point of
beginning.

Designated altitudes. FL 180 to FL 230.

Time of designation. 0600–2400 local time
Monday–Friday; 0800–1600 local time
Saturday; other times by NOTAM at least
8 hours in advance.

Controlling agency. FAA, Jacksonville
ARTCC.

Using agency. U.S. Air Force, 20 FW, Shaw
AFB, SC.

* * * * *

Issued in Washington, DC, on August 26,
1998.

Timothy Fleming,

*Acting Program Director for Air Traffic
Airspace Management.*

[FR Doc. 98–23629 Filed 9–1–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 95

[Docket No. 29322; Amdt. No. 411]

**IFR Altitudes; Miscellaneous
Amendments**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts
miscellaneous amendments to the
required IFR (instrument flight rules)
altitudes and changeover points for
certain Federal airways, jet routes, or
direct routes for which a minimum or
maximum en route authorized IFR
altitude is prescribed. This regulatory

action is needed because of changes
occurring in the National Airspace
System. These changes are designed to
provide for the safe and efficient use of
the navigable airspace under instrument
conditions in the affected areas.

EFFECTIVE DATE: 0901 UTC, October 8,
1998.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure
Standards Branch (AMCAFS–420),
Flight Technologies and Programs
Division, Flight Standards Service,
Federal Aviation Administration, Mike
Monroney Aeronautical Center, 6500
South MacArthur Blvd., Oklahoma City,
OK 73169 (Mail Address: P.O. Box
25082 Oklahoma City, OK 73125)
telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This
amendment to part 95 of the Federal
Aviation Regulations (14 CFR part 95)
amends, suspends, or revokes IFR
altitudes governing the operation of all
aircraft in flight over a specified route
or any portion of that route, as well as
the changeover points (COPs) for
Federal airways, jet routes, or direct
routes as prescribed in part 95.

The Rule

The specified IFR altitudes, when
used in conjunction with the prescribed
changeover points for those routes,
ensure navigation aid coverage that is
adequate for safe flight operations and
free of frequency interference. The
reasons and circumstances that create
the need for this amendment involve
matters of flight safety and operational
efficiency in the National Airspace
Systems are related to published
aeronautical charts that are essential to
the user, and provide for the safe and
efficient use of the navigable airspace.
In addition, those various reasons or
circumstances require making this
amendment effective before the next
scheduled charting and publication date
of the flight information to assure its
timely availability to the user. The
effective date of this amendment reflects

those considerations. In view of the
close and immediate relationship
between these regulatory changes and
safety in air commerce, I find that notice
and public procedure before adopting
this amendment are impracticable and
contrary to the public interest and that
good cause exists for making the
amendment effective in less than 30
days. 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.
For the same reason, the FAA certifies
that this amendment 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 95

Airspace, Navigation (air).

Issued in Washington, D.C. on August 28,
1998.

Richard O. Gordon,

Acting Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the
authority delegated to me by the
Administrator, part 95 of the Federal
Aviation Regulations (14 CFR part 95) is
amended as follows effective at 0901
UTC:

1. The authority citation for part 95
continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106,
40113, 40114, 40120, 44502, 44514, 44719,
44721.

2. Part 95 is amended to read as
follows:

REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES AND CHANGEOVER POINTS

[Amendment 411 Effective Date, October 8, 1998]

From	To	MEA
§ 95.1001 Direct Routes—§ 95.626 Blue Federal Airway 26 is Amended To Read in Part		
Yukon River, AK NDB *10900–MOCA #MEA is established with a gap in navigation signal coverage.	Barter Island, AK NDB	#*12000
§ 95.6006 VOR Federal Airway 6 is Amended To Read in Part		
Grand Island, NE VORTAC	Touhy, NE FIX	*4000