

**Federal Register's** Web page at <http://www.gpoaccess.gov/fr/index.html>. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. 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communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received.

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. 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. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. Those 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. FAA-2008-0836; Airspace Docket No. 08-AEA-23." The postcard will be date stamped and returned to the commenter.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 merges Class E Airspace at Butler, PA with the already existing Class E Airspace titled East Butler, PA. The controlled airspace required to support the Copter Area Navigation (RNAV) Global Positioning System (GPS) Point in Space (PinS) approach developed for the Butler Memorial Hospital Heliport was mistakenly listed under East Butler, PA. Controlled airspace extending upward from 700 feet Above Ground Level (AGL) is required for Instrument Flight Rules (IFR) operations and to encompass all Instrument Approach Procedures (IAPs) to the extent practical, therefore, the FAA is amending Title 14, Code of Federal Regulations (14 CFR) part 71 to rectify the Class E5 airspace at Butler, PA. The official name is also amended to Butler Co./K. W. Scholter Field Airport. Designations for Class E airspace areas extending upward from 700 feet or more above the surface of the Earth are published in FAA Order 7400.9R, signed August 15, 2007 effective September 15, 2007, which is incorporated by reference in 14 CFR part 71.1. The Class E designations

listed in this document will be published subsequently in the Order.

**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 various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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, is noncontroversial and unlikely to result in adverse or negative comments. 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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends and removes controlled airspace at Butler and East Butler, PA.

**Lists 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, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, effective September 15, 2007, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**AEA PA E5 Butler, PA [Amended]**

Butler County/K W Scholter Field Airport (Lat. 40°46'37" N., long. 79°56'59" W.)  
Butler Memorial Hospital Heliport (Lat. 40°52'01" N., long. 79°52'48" W.)  
Point in Space Coordinates (Lat. 40°51'19" N., long. 79°51'51" W.)

That airspace extending upward from 700 feet above the surface of the Earth within a 6.4-mile radius of Butler County/K W Scholter Field Airport and within a 6-mile radius of the Point in Space Coordinates (lat. 40°51'19" N., long. 79°51'51" W.) serving the Butler Memorial Hospital Heliport.

\* \* \* \* \*

**AEA PA E5 East Butler, PA [Remove]**

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Issued in College Park, Georgia, on August 20, 2008.

**Kathy Swann,**

*Acting Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. E8-22443 Filed 9-26-08; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2008-0817; Airspace Docket No. 08-ANE-101]

**Amendment to Class E Airspace; Windsor Locks, Bradley International Airport, CT**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule, request for comments.

**SUMMARY:** This action revises the Class E Airspace at Windsor Locks, Bradley International Airport, CT (BDL) to provide for adequate controlled airspace for those aircraft using Instrument Approach Procedures to the airport. The CHUPP NDB has been decommissioned, and after evaluation of the extension to the Windsor Locks Class C airspace defined using the CHUPP NDB, the FAA determined that the Class E3 airspace should be retained and extended 1 mile to provide adequate controlled airspace for the Instrument Approach Procedures to BDL. This action will enhance the safety and airspace management around the Bradley International Airport.

**DATES:** Effective 0901 UTC, November 20, 2008. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments. Comments for inclusion in the Rules Docket must be received on or before November 13, 2008.

**ADDRESSES:** Send comments on this rule to: U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2008-0817; Airspace Docket No. 08-ANE-101, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the rule, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

**FOR FURTHER INFORMATION CONTACT:** Melinda Giddens, Operations Support Group, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; Telephone (404) 305-5610, Fax 404-305-5572.

**SUPPLEMENTARY INFORMATION:**

**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comments, and, therefore, issues it as a direct final rule. The FAA has determined that this rule 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 effective date. If the FAA receives, 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 persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. The direct final rule is used in this case to facilitate the timing of the charting schedule and enhance the operation at the airport, while still allowing and requesting public comment on this rulemaking action. An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. 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. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the **Federal Register's** Web page at <http://www.gpoaccess.gov/fr/index.html>.

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. 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. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested

persons. Those 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. FAA-2008-0817; Airspace Docket No. 08-ANE-101." The postcard will be date stamped and returned to the commenter.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 revises Class E3 Airspace at Windsor Locks, CT by redefining that extension to the Windsor Locks Class C airspace and by extending that surface Class E. The Class E extension was defined using the CHUPP NDB, which has been decommissioned. In reviewing the controlled airspace to support IFR operations at Bradley International Airport the FAA determined that the Class E3 extension should be redefined and extended to the southwest in order to provide adequate controlled airspace for aircraft executing Instrument Approach Procedures to Bradley International Airport. Designations for Class E Airspace Designated as Surface Areas are published in FAA Order 7400.9R, signed August 15, 2007 effective September 15, 2007, which is incorporated by reference in 14 CFR part 71.1. The Class E designations listed in this document will be published subsequently in the Order.

**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 various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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, is non-controversial and unlikely to result in adverse or negative comments. 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, when

promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies controlled airspace at Windsor Locks, CT.

#### Lists 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, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, effective September 15, 2007, is amended as follows:

*Paragraph 6003 Class E Airspace Areas Designated as an Extension.*

\* \* \* \* \*

#### **ANE CTA E3 Windsor Locks, CT [REVISED]**

Windsor Locks, Bradley International Airport, CT,  
(Lat. 41°56'20" N., long 72°41'00" W.)

That airspace extending upward from the surface within 3.2 miles each side of the 224 bearing from the Bradley International Airport (BDL) and extending from the 5 mile radius to 9.6 miles SW of the Bradley International Airport. The Class E airspace area is effective during specific dates and times established in advance by a Notice to Airman. The effective date and time will

thereafter be continuously published in the Airport/Facility Directory.

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Issued in College Park, Georgia, on September 3, 2008.

**Mark D. Ward,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. E8–22450 Filed 9–26–08; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0339; Airspace Docket No. 08–ASW–5]

#### **Amendment of Class D and Class E Airspace; Altus AFB, OK**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; change of effective date; correction.

**SUMMARY:** This action changes the effective date and makes a correction to the direct final rule that amends Class D and Class E airspace at Altus AFB, OK, published in the *Federal Register* August 6, 2008 (73 FR 45605) Docket No. FAA–2008–0339. The effective date is changed to November 20, 2008, to allow additional time for charting. This action also makes a correction to the geographic coordinates of Altus AFB.

**DATES:** *Effective Date:* 0901 UTC, November 20, 2008. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Gary Mallett, Central Service Center, System Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76193–0530; telephone (817) 222–4949.

#### **SUPPLEMENTARY INFORMATION:**

#### **History**

The FAA published a direct final rule with request for comments in the *Federal Register* August 6, 2008, (73 FR 45605), Docket No. FAA–2008–0339. Subsequent to publication, the FAA found that additional time was needed for charting. The effective date is changed to November 20, 2008, to allow additional time for charting. Also, there is a minor correction to the coordinates for the latitude/longitude of Altus AFB, OK.

#### **Correction**

■ In the *Federal Register* dated August 6, 2008, in *Federal Register* Docket No. FAA–2008–0339, the geographical coordinates of Altus AFB, OK are corrected to read:

Altus AFB, OK

(Lat. 34°39'59" N., long. 99°16'05" W)

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

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Issued in Fort Worth, TX, on September 9, 2008.

**Donald R. Smith,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E8–21518 Filed 9–26–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0434; Airspace Docket No. 08–ASW–6]

#### **Establishment of Class D Airspace; Victoria, TX**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class D airspace at Victoria Regional Airport, Victoria, TX. Establishment of an air traffic control tower has made this action necessary for the safety of Instrument Flight Rule (IFR) operations at Victoria Regional Airport.

**DATES:** *Effective Date:* 0901 UTC, November 20, 2008. The Director of the Federal Register approves this incorporation by reference action under 14 CFR Part 71, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76193–0530; telephone (817) 222–5582.

#### **SUPPLEMENTARY INFORMATION:**

#### **History**

On May 19, 2008, the FAA published in the *Federal Register* a notice of proposed rulemaking to establish Class D airspace at Victoria Regional Airport, Victoria, TX (73 FR 28764, Docket No. FAA–2008–0434). Interested parties were invited to participate in this