

safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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, Incorporation by reference, 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:

**2005-05-09 Empresa Brasileira de Aeronautica S.A. (EMBRAER):**  
Amendment 39-13998. Docket 2003-NM-34-AD.

**Applicability:** Model EMB-135 and -145 series airplanes, certificated in any category, having serial numbers (S/Ns) 145004 through 145187 inclusive, S/Ns 145191 through 145196 inclusive, S/N 145200, and S/N 145204.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent the plastic lens protection grids in the baggage compartment from breaking away and exposing the lens as a source of fire, which could lead to fire damage to the aircraft systems and structure, and expose the passengers and crew to hazardous quantities of smoke, accomplish the following:

**Note 1:** EMBRAER Service Bulletin 145-25-0168, Change 02, dated August 8, 2000, references C&D Aerospace Service Bulletin 145-20216-25-03, Revision 2, dated June 9, 2000, as an additional source of service information for accomplishment of the modification. The C&D Aerospace service bulletin is included within the EMBRAER service bulletin.

### Modification

(a) Within 2,000 flight hours after the effective date of this AD: Modify the mid, aft, and forward, baggage compartment upper liners to replace the plastic lens protection grids on all upper liners with new, light metal lens protection grids, in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 145-25-0168, Change 02, dated August 8, 2000.

### Actions Accomplished Previously

(b) Modifications to the cargo liners accomplished before the effective date of this AD in accordance with EMBRAER Service Bulletin 145-25-0168, Change 01, dated April 13, 2000, are considered acceptable for compliance with the corresponding actions specified in this AD.

### Parts Installation

(c) As of the effective date of this AD, no person may install on any airplane a smoke detector cover having part number 7161119-507, or a ceiling panel having part number 7161011-507, 7161011-517, 7161011-519, 7161011-523, 7161011-525, 7161011-527, 7161011-529, 7161011-531, or 7161011-533.

### Alternative Methods of Compliance

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, is authorized to approve alternative methods of compliance for this AD.

### Incorporation by Reference

(e) Unless otherwise specified in this AD, the actions must be done in accordance with EMBRAER Service Bulletin 145-25-0168, Change 02, dated August 8, 2000. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**Note 2:** The subject of this AD is addressed in Brazilian airworthiness directive 2000-06-01, dated July 3, 2000.

### Effective Date

(f) This amendment becomes effective on April 14, 2005.

Issued in Renton, Washington, on February 28, 2005.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-4551 Filed 3-9-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-16596; Airspace Docket No. 03-ASO-20]

### Amendment of Class D, E2 and E4 Airspace; Columbus Lawson AAF, GA, and Class E5 Airspace; Columbus, GA; Correction

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

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to the final rule (FAA-2003-16596; 03-ASO-20), which was published in the **Federal Register** on March 23, 2004 (69 FR 13467), amending Class E5 airspace at Columbus, GA. This action changes the Lawson 127° localizer (LOC) course to the 145° LOC course.

**EFFECTIVE DATE:** 0901 UTC, May 12, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Ward, Manager, Airspace and Operations Branch, Air Traffic Division, Federal Aviation Administration, PO Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

### SUPPLEMENTARY INFORMATION:

#### Background

**Federal Register** Document 04-6380, Docket No. FAA-2003-16596; Airspace Docket 03-ASO-20, published on March 23, 2004 (69 FR 13467), amends Class E5 airspace at Columbus, GA, as a result of the relocation of the Lawson Army Airfield (AAF) Instrument Landing System (ILS) and the extension of Runway (RWY) 15-33. This action corrects the published docket.

Designations for Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, which

is incorporated by reference in 14 CFR 71.1. The Class E designation listed in this document will be published subsequently in the Order.

### Need for Correction

As published, the final rule contains an error that incorrectly identifies the LOC course for the Lawson AAF ILS RWY 33 Standard Instrument Approach Procedure (SIAP). Accordingly, pursuant to the authority delegated to me, the legal description for the Class E5 airspace area at Columbus, GA, incorporated by reference at § 71.1, 14 CFR 71.1, and published in the **Federal Register** on March 23, 2004 (69 FR 13467), is corrected by making the following correcting amendment.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

■ In consideration of the foregoing, the Federal Aviation Administration corrects the adopted amendment, 14 CFR part 71, by making the following correcting amendment:

### 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 [Corrected]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ASO GA E5 Columbus, GA [Corrected]

Columbus Metropolitan Airport, GA  
(Lat 32°30'59" N, long. 84°56'20" W)

Lawson AAF, GA

(Lat. 32°20'14" N, long. 84°59'29" W)

Lawson VOR/DME

(Lat. 32°19'57" N, long. 84°59'36" W)

Lawson LOC

(Lat. 32°20'43" N, long. 84°59'55" W)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Columbus Metropolitan Airport and within a 7.6-mile radius of Lawson AAF and within 2.5 miles each side of Lawson VOR/DME 340° radial, extending from the 7.6-mile radius to 15 miles north of the VOR/DME and

within 4 miles each side of the Lawson LOC 145° course, extending from the 7.6-mile radius to 10.6 miles southeast of Lawson AAF.

\* \* \* \* \*

Issued in College Park, Georgia on February 16, 2005.

**Mark D. Ward,**

*Acting Area Director, Air Traffic Division, Southern Region.*

[FR Doc. 05–4750 Filed 3–9–05; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2004–19579; Airspace Docket No. 04–ACE–69]

#### Establishment of Class E2 Airspace; and Modification of Class E5 Airspace; Newton, KS

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

**ACTION:** Final rule.

**SUMMARY:** This rule establishes a Class E surface area at Newton, KS. It also modifies the Class E airspace area extending upward from 700 feet above the surface at Newton, KS by correcting discrepancies in the extension to this airspace area.

The effect of this rule is to provide appropriate controlled Class E airspace for aircraft executing instrument approach procedures to Newton-City-County Airport and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

**DATES:** Effective 0901 UTC, May 12, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Brenda Mumper, Air Traffic Division, Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

#### SUPPLEMENTARY INFORMATION:

#### History

On Friday, January 7, 2005, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish a Class E surface area and to modify other Class E airspace at Newton, KS (70 FR 1399) and subsequently published a correction to the proposal on Wednesday, January 26, 2005 (70 FR 3656). The proposal was to establish a Class E surface area at Newton, KS. It was also to modify the

Class E5 airspace and its legal description by correcting discrepancies in its extension. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

#### The Rule

This amendment to 14 CFR Part 71 establishes Class E airspace designated as a surface area for an airport at Newton, KS. Controlled airspace extending upward from the surface of the earth is needed to contain aircraft executing instrument approach procedures to Newton-City-County Airport. Weather observations will be provided by an Automatic Weather Observing/Reporting System (AWOS) and communications will be direct with Wichita Terminal Radar Approach Control Facility.

This rule also revises the Class E airspace area extending upward from 700 feet above the surface at Newton, KS. An examination of this Class E airspace area for Newton, KS revealed discrepancies in its extension. This action corrects these discrepancies. The areas will be depicted on appropriate aeronautical charts.

Class E airspace areas designated as surface areas are published in Paragraph 6002 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of the same Order. The Class E airspace designations listed in this document will be published subsequently in the Order.

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 regulations—(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.