

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA 04-19684; Airspace Docket No. 04-ANM-24]

#### Proposed Revision of Class E Airspace; Herlong, CA

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposal would revise Class E airspace at Herlong, CA. Additional controlled airspace is necessary to contain Instrument Flight Rules (IFR) aircraft during airborne holding at Amedee Army Air Field (AAF) due to weather below landing minimums, traffic congestion, or other operational reasons. Holding airspace is designated at specific altitudes and lateral boundaries within controlled airspace to provide a safe environment above obstacles. This holding pattern is an integral part of the new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) at the Amedee AAF.

**DATES:** Comments must be received by August 26, 2005.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number, FAA 04-19684 Airspace Docket 04-ANM-24, at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final dispositions in person in the Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The Docket Office (telephone number 1-800-647-5527) is on the plaza level of the Department of

Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization Western En Route and Oceanic Area Office, Airspace Branch, 1601 Lind Avenue SW., Renton, WA 98055.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify Docket FAA 04-19684 Airspace Docket 04-ANM-24 and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to Docket FAA 04-19684 Airspace Docket 04-ANM-24." The postcard will be date/time stamped and returned to the commenter.

##### Availability of NPRM

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Air Traffic Organization, Western En Route and Oceanic Office, Airspace Branch, 1601 Lind Avenue, SW., Renton, WA 98055. Communications must identify both document numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking at 202-267-9677 to request a copy of Advisory Circular No. 11-2A, Notice of

Proposed Rulemaking Distribution System, which describes the application procedures.

##### The Proposal

This action proposes to amend Title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by revising Class E airspace at Amedee AAF, Herlong, CA. Additional Class E airspace is necessary to contain IFR aircraft within controlled airspace during airborne holding at Amedee AAF. Holding airspace is necessary when aircraft are delayed at Amedee AAF due to weather below landing minimums, traffic congestion, or other operational reasons. Holding airspace is designated at specific altitudes and lateral boundaries within controlled airspace to provide a safe environment above obstacles. This holding pattern is an integral part of the new RNAV GPS SIAP's at the Amedee AAF.

Class E airspace designations 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 airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 proposed rule would 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).

##### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal

Aviation Administration proposes to amend 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**

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.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR part 71.1 of the 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.*

\* \* \* \* \*

**ANM CA E5 Herlong, CA [Revised]**

Amedee VOR/DME

(Lat. 40°16'04" N, long. 120°09'07" W)

That airspace extending upward from 700 feet above the surface of the earth within an area bounded by a line beginning at lat. 40°20'15" N, long. 119°48'27" W; to lat. 40°07'58" N, long. 119°51'47" W; to lat. 40°11'30" N, long. 120°16'47" W; to lat. 40°20'32" N, long. 120°14'34" W; thence to the point of beginning. That airspace extending upward from 1,200 feet above the surface of the earth beginning at lat. 40°00'00" N, long. 120°00'00" W; west to V452; to lat. 40°30'00" N; east to lat. 40°30'00" N, long. 119°16'00" W; south to lat. 40°00'00" N, long. 119°16'00" W; west to point of beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on June 30, 2005.

**Danial T. Mawhorter,**

*Acting Area Director, Western En Route and Oceanic Operations.*

[FR Doc. 05–13661 Filed 7–11–05; 8:45 am]

**BILLING CODE 4910–13–M**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[R10–OAR–2005–WA–0006; FRL–7936–2]

**Approval and Promulgation of Air Quality Implementation Plans; Washington; Correcting Amendments**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** In this action, EPA is proposing minor corrections to typographical numbering errors that appeared in the notice approving the serious area plan for attainment of the annual and 24-hour PM<sub>10</sub> standards for Wallula, Washington, published on May 2, 2005. PM<sub>10</sub> is particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers.

**DATES:** Comments must be received on or before August 11, 2005.

**ADDRESSES:** Submit your comments, identified by Docket ID No. R10–OAR–2005–WA–0006, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Agency Web Site:* <http://www.epa.gov/edocket>. EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

- *Mail:* Colleen Huck, Office of Air, Waste and Toxics, AWT–107, EPA, Region 10, 1200 Sixth Ave., Seattle, Washington 98101.

- *Hand Delivery:* Colleen Huck, Office of Air, Waste and Toxics, AWT–107, 9th Floor, EPA, Region 10, 1200 Sixth Ave., Seattle, Washington 98101. Such deliveries are only accepted during normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Colleen Huck at telephone number: (206) 553–1770, e-mail address: [Huck.Colleen@epa.gov](mailto:Huck.Colleen@epa.gov), fax number: (206) 553–0110, or the above EPA, Region 10 address.

**SUPPLEMENTARY INFORMATION:** For further information, please see the direct final action, of the same title, which is located in the Rules and Regulations section of this **Federal Register**. EPA is publishing this action without prior proposal because EPA views this as a noncontroversial amendment and anticipates no adverse comments. A detailed rationale for the correction is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule.

If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a

second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

Dated: June 24, 2005.

**Ronald A. Kreizenbeck,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 05–13553 Filed 7–11–05; 8:45 am]

**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 62**

[R03–OAR–2005–VA–0009; FRL–7937–6]

**Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Commonwealth of Virginia; Control of Municipal Waste Combustor Emissions From Small Existing Municipal Solid Waste Combustor Units**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the Commonwealth of Virginia Department of Environmental Quality (DEQ) small municipal waste combustor plan (the plan) for implementing emission guideline (EG) requirements promulgated under the Clean Air Act (the Act). In the Final Rules section of this **Federal Register**, EPA is approving the plan, under the provisions of sections 111 and 129 of the Act, as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by August 11, 2005.