

airplanes that are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. In keeping with this bilateral airworthiness agreement, the DGAC kept us informed of the situation described above. We have examined the DGAC's findings, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States. For this reason, we are proposing this AD, which would require installing two protective fairings on each affected cabin attendant seat and replacing the existing identification placard with a new one. The proposed AD would require you to use the service information described previously to perform these actions.

#### Costs of Compliance

There are about 5,584 Sicma Aero Seat (formerly Farner) cabin attendant seats, series 150 type FN and 151 type WN of the affected design installed on 698 airplanes of U.S. registry. We estimate that it would take about 3 work hours per airplane to perform the proposed actions, and that the average labor rate is \$65 per work hour. Sicma has advised us that they will supply the modification kits at no cost. Based on the labor rate to install the kits, the total cost of the proposed AD to U.S. operators will be \$138,110.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for 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 Findings

We have determined that this proposed AD would not have federalism implications under Executive Order

13132. This proposed AD would 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.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. The FAA amends § 39.13 by adding the following new airworthiness directive:

**Sicma Aero Seat (formerly Farner):** Docket No. FAA-2005-22109; Directorate Identifier 2005-NE-32-AD.

#### Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this airworthiness directive (AD) action by December 5, 2005.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Sicma Aero Seat (formerly Farner) cabin attendant seat series 150 type FN and 151 type WN, all part and serial numbers. These attendant seats are installed on, but not limited to, Airbus A319, A320 and A321 series airplanes.

#### Unsafe Condition

(d) This proposed AD results from a child catching its fingers in the folding mechanism of the bottom of the attendant seat. We are issuing this AD to prevent injury resulting

from contact with the bottom folding mechanism.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified unless the actions have already been done.

#### Installing Protective Fairings

(f) Within 90 days after the effective date of this AD, install two protective fairings, part number (P/N) 160100-49, on each affected cabin attendant seat. Use the instructions in paragraph 2 of Sicma Aero Seat Service Bulletin 150-25-036, Issue 1, dated October 2, 1999, and Sicma Aero Seat Service Bulletin 151-25-037, Issue 1, dated October 2, 1999.

(g) After installing the fairings, add or complete a modification placard, part number (P/N) 00-5179, indicating that the service bulletin has been completed. Use the instructions in paragraph 3 of Sicma Aero Seat Service Bulletin 150-25-036, Issue 1, dated October 2, 1999, and Sicma Aero Seat Service Bulletin 151-25-037, Issue 1, dated October 2, 1999.

#### Alternative Methods of Compliance (AMOCs)

(h) The Manager, Boston Aircraft Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(i) DGAC airworthiness directive 1999-004 (AB), dated January 13, 1999, also addresses the subject of this AD.

Issued in Burlington, Massachusetts, on September 26, 2005.

**Francis A. Favara,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 05-19873 Filed 10-3-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-22496; Airspace Docket No. 04-ANM-26]

RIN 2120-AA66

#### Proposed Amendment to Jet Route J-158; ID

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to revise a segment of Jet Route J-158 between the Malad City, ID, Very High Frequency Omni-directional Range/Distance Measuring Equipment (VOR/DME) and the Muddy Mountain, WY,

Very High Frequency Omni-directional Range/Tactical Air Navigation (VORTAC). Specifically, the FAA is proposing to realign the route from Malad City, ID, to Big Piney, WY, VOR/DME to Muddy Mountain, WY. This proposed action would replace the sector taken out of service, reduce controller workload, and enhance the National Airspace System.

**DATES:** Comments must be received on or before November 18, 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 FAA Docket No. FAA-2005-22496 and Airspace Docket No. 04-ANM-26 at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**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 both docket numbers (FAA Docket No. FAA-2005-22496 and Airspace Docket No. 04-ANM-26) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://dms.dot.gov>.

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 No. FAA-2005-22496 and Airspace Docket No. 04-ANM-26." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before

taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRMs**

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 **Federal Register's** Web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, 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 Regional Air Traffic Division, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

Persons interested in being placed on a mailing list for future NPRMs should call the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**History**

The segment of J-158 between the Malad City VOR/DME and the Muddy Mountain VORTAC was found to be unusable for navigation and was taken out of service indefinitely. The FAA has issued a Flight Data Center Notices to Airmen (NOTAM) advising users of this problem. To provide a means of navigating between the Malad City, ID, VOR/DME and Muddy Mountain, WY, VORTAC, the FAA is issuing the following proposal.

**The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to revise a segment of J-158. The proposed amendment would insert a segment extending from Malad City, ID, VOR/DME to Big Piney, WY, VOR/DME to Muddy Mountain, WY, VORTAC. This amendment would restore the use of J-158 between Malad City and Muddy Mountain.

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 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 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, when promulgated, 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 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 the FAA Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

*Paragraph 2004 Jet Routes.*

\* \* \* \* \*

**J-158 [Revised]**

From Mina, NV, via Lucin, UT; Malad City, ID; Big Piney, WY; Muddy Mountain, WY; Rapid City, SD; to Aberdeen, SD.

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Issued in Washington, DC, September 22, 2005.

**Edith V. Parish,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 05-19856 Filed 10-3-05; 8:45 am]

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