

Issued in Renton, Washington, on March 7, 2007.

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[FR Doc. E7-4534 Filed 3-12-07; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2006-25852; Airspace
Docket No. 06-AAL-29]

RIN 2120-AA66

Proposed Modification to the Norton Sound Low, Woody Island Low, Control 1234L and Control 1487L Offshore Airspace Areas; Alaska

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to amend the following four Offshore Airspace Areas in Alaska: Norton Sound Low, Woody Island Low, Control 1234L and Control 1487L. This action proposes to describe the airspace west of 160° W. longitude as it is currently depicted on aeronautical charts. Some of the existing controlled airspace is described as domestic Class E5 airspace around Kodiak, AK. This airspace instead would be listed within the Woody Island Low Offshore Airspace Area. The FAA is proposing this action to provide additional controlled airspace for aircraft instrument flight rules (IFR) operations, and to correctly describe the existing offshore airspace areas in FAA Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006.

DATES: Comments must be received on or before April 27, 2007.

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 FAA Docket No. FAA-2006-25852 and Airspace Docket No. 06-AAL-29, 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-2006-25852 and Airspace Docket No. 06-AAL-29) 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 FAA Docket No. FAA-2006-25852 and Airspace Docket No. 06-AAL-29." 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, 222 West 7th Avenue 14, Anchorage, AK 99513.

Persons interested in being placed on a mailing list for future NPRMs should contact 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.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to modify the Norton Sound Low, Woody Island Low, and Control 1487L Offshore Airspace Areas, AK, by lowering the floor to 1,200 feet MSL within a 45-mile radius of Hooper Bay Airport, within a 81.2-mile radius of Perryville Airport, within a 73-mile radius of Homer Airport, and within a 73-mile radius of St. Michael Airport. The proposal would also modify Control 1234L Offshore Airspace Area, AK, by lowering the floor to 1,200 feet above the surface within an 81.2-mile radius of Perryville Airport, AK. Additionally, this proposal would establish controlled airspace to support IFR operations at the Hooper Bay, Perryville, Homer and St. Michael Airports, AK. Additionally, controlled airspace extending upward from the surface, from 700 above the surface, and from 1,200 feet above the surface, would be established in Control 1234L Offshore Airspace Area. While reviewing this action, an error in the Control 1234L Offshore Airspace description in FAAO 7400.9N was discovered. The Offshore Airspace Area Control 1234L begins at and extends west of 160°00'00" W. longitude. This airspace covers all the land west of this longitude including the Aleutian Island chain and the Pribilof Islands. Control 1234L Offshore Airspace around or near the Alaskan airports of; Adak, Atka, Cold Bay, Dutch Harbor (Unalaska), Nelson Lagoon, Sand Point, Eareckson Air Station, St. George, Port Heiden, Homer, and Chignik, would be lowered from the 2,000 feet AGL floor to incorporate Class E domestic airspace. This action is concurrent with Airspace Docket No. 06-AAL-34, proposing revocation of the domestic airspace descriptions for these airports. Additionally, the airspace description in FAA Order 7400.9P for Control 1234L should refer to altitudes from "above the surface". The current description erroneously uses "MSL" for the airspace associated with the Chignik Airport, AK. The offshore airspace described from 1,200 feet would be amended to describe it from "above the surface".

Additionally, some of the current Class E5 controlled airspace around Kodiak Airport, AK, needs to be listed within Woody Island Offshore Airspace in order to be correctly described. This action addresses this issue and makes the correction.

Offshore Airspace Areas are published in paragraph 6007 of FAA Order 7400.9P, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1. The Offshore Airspace Areas listed in this document would be published subsequently in the 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 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.

ICAO Considerations

As part of this proposal relates to navigable airspace outside the United States, this notice is submitted in accordance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices. The application of International Standards and Recommended Practices by the FAA, Office of System Operations Airspace and AIM, Airspace & Rules, in areas outside the United States domestic airspace, is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when

air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft. Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator is consulting with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

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 Federal Aviation Administration Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

Paragraph 6007 Offshore Airspace Areas.

The Class E airspace areas listed below extend upward from a specified altitude to, but not including 18,000 feet MSL and are designated as offshore airspace areas. These areas typically provide controlled airspace beyond 12 miles from the coast of the United States in those areas where there is a requirement to provide IFR enroute ATC services and within which the United States is applying domestic ATC procedures. In Alaska, Control 1234L also covers the land

masses of the Aleutian Island chain, west of 160° West longitude, and the Pribilof Islands.

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Norton Sound Low, AK [Amended]

That airspace extending upward from 14,500 feet MSL within an area bounded by a line beginning at lat. 56°42'59" N., long. 160°00'00" W., thence east and north by a line 12 miles from and parallel to the shoreline to the intersection with a point 12 miles from the U.S. coastline and lat. 68°00'00" N., to lat. 68°00'00" N., long. 168°58'23" W., to lat. 65°00'00" N., long. 168°58'23" W., to lat. 62°35'00" N., long. 175°00'00" W., to lat. 59°59'57" N., long. 168°00'08" W., to lat. 57°45'57" N., long. 161°46'08" W., to lat. 58°06'57" N., long. 160°00'00" W., to the point of beginning; and that airspace extending upward from 1,200 feet MSL within 13 miles west and 4 miles east of the Port Heiden NDB, AK, 339°(T)/323°(M) bearing extending from the Port Heiden NDB, AK, to 25 miles northwest of the Port Heiden NDB, AK, and within 9 miles north of the Port Heiden NDB, AK, 248°(T)/229°(M) bearing extending from the Port Heiden NDB, AK, to 24 miles west of the Port Heiden NDB, AK, and north of the Alaska Peninsula and east of 160° West longitude within an 81.2-mile radius of Perryville Airport, AK, and north of the Alaska Peninsula and east of 160° West longitude within a 72.8-mile radius of Chignik Airport, AK, and within a 35-mile radius of lat. 60°21'17" N., long. 165°04'01" W., and within a 45-mile radius of Hooper Bay Airport, AK, and within a 73-mile radius of St. Michael Airport, AK, and within a 77.4-mile radius of the Nome VORTAC, AK, and within a 30-mile radius of lat. 66°09'58" N., long. 166°30'03" W., and within a 30-mile radius of lat. 66°19'55" N., long. 165°40'32" W., and within a 45-mile radius of Deering Airport, AK; and that airspace extending upward from 700 feet MSL within 8 miles west and 4 miles east of the 339°(T)/323°(M) bearing from the Port Heiden NDB, AK, extending from the Port Heiden NDB, AK, to 20 miles northwest of the Port Heiden NDB, AK, and within a 25-mile radius of Nome Airport, AK.

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Woody Island Low, AK [Amended]

That airspace extending upward from 14,500 feet MSL within the area bounded by a line beginning at lat. 53°30'00" N., long. 160°00'00" W., to lat. 56°00'00" N., long. 153°00'00" W., to lat. 56°45'42" N., long. 151°45'00" W., to lat. 58°19'58" N., long. 148°55'07" W., to lat. 59°08'34" N., long. 147°16'06" W., then clockwise via the 149.5-mile radius from the Anchorage, VOR/DME, AK, to the intersection with a point 12 miles from and parallel to the U.S. coastline, then southwest by a line 12 miles from and parallel to the U.S. coastline to the intersection with long. 160°00'00" W., to the point of beginning; and that airspace extending upward from 700 feet above the surface within 5 miles south and 9 miles north of the 070°(T)/047°(M) radial of the Kodiak VORTAC, AK, extending to 17 miles northeast of the Kodiak VORTAC, AK, and within 8 miles north and 4 miles south of the Kodiak, AK, localizer front course extending

to 20.3 miles east of Kodiak Airport, AK; and that airspace extending upward from 1,200 feet MSL, within 27 miles of the Kodiak VORTAC, AK, extending from the 023°(T)/000°(M) radial clockwise to the 088°(T)/065°(M) radial and within 8 miles north and 5 miles south of the Kodiak localizer front course extending to 32 miles east of Kodiak Airport, AK, and that airspace extending south and east of the Alaska Peninsula within a 72.8-mile radius of Chignik Airport, AK, and outside (south) of the 149.5-mile radius of the Anchorage VOR/DME, AK, within a 73-mile radius of Homer Airport, AK, and south and east of the Alaska Peninsula within an 81.2-mile radius of Perryville Airport, AK.

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Control 1234L [Amended]

That airspace extending upward from 2,000 feet above the surface within an area bounded by a line beginning at lat. 58°06'57" N., long. 160°00'00" W., then south along long. 160°00'00" W. until it intersects the Anchorage Air Route Traffic Control Center (ARTCC) boundary; then southwest, northwest, north, and northeast along the Anchorage ARTCC boundary to lat. 62°35'00" N., long. 175°00'00" W., to lat. 59°59'57" N., long. 168°00'08" W., to lat. 57°45'57" N., long. 161°46'08" W., to the point of beginning; and that airspace extending upward from the surface within a 4.6-mile radius of Cold Bay Airport, AK, and within 1.7 miles each side of the 150°(T)/136°(M) bearing from Cold Bay Airport, AK, extending from the 4.6-mile radius to 7.7 miles southeast of Cold Bay Airport, AK, and within 3 miles west and 4 miles east of the 335°(T)/321°(M) bearing from Cold Bay Airport, AK, extending from the 4.6-mile radius to 12.2 miles northwest of Cold Bay Airport, AK and that airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Eareckson Air Station, AK, and within a 7-mile radius of Adak Airport, AK, and within 5.2 miles northwest and 4.2 miles southeast of the 061°(T)/054°(M) bearing from the Mount Moffett NDB, AK, extending from the 7-mile radius of Adak Airport, AK, to 11.5 miles northeast of Adak Airport, AK and within a 6.5-mile radius of King Cove Airport, and that airspace extending 1.2 miles either side of the 103°(T)/162°(M) bearing from King Cove Airport from the 6.5-mile radius out to 8.8 miles; and within a 6.4-mile radius of the Atka Airport, AK, and within a 6.9-mile radius of Eareckson Air Station, AK, and within a 6.3-mile radius of Nelson Lagoon Airport, AK and within a 6.4-mile radius of Sand Point Airport, AK, and within 3 miles each side of the 172°(T)/157°(M) bearing from the Borland NDB/DME, AK, extending from the 6.4-mile radius of Sand Point Airport, AK, to 13.9 miles south of Sand Point Airport, AK, and within 5 miles either side of the 318°(T)/303°(M) bearing from the Borland NDB/DME, AK, extending from the 6.4-mile radius of Sand Point Airport, AK, to 17 miles northwest of Sand Point Airport, AK, and within 5 miles either side of the 324°(T)/309°(M) bearing from the Borland NDB/DME, AK, and within a 6.6-mile radius of St. George Airport, AK, and within an 8-

mile radius of St. Paul Island Airport, AK, and 8 miles west and 6 miles east of the 360°(T)/350°(M) bearing from St. Paul Island Airport, AK, to 14 miles north of St. Paul Island Airport, AK, and within 6 miles west and 8 miles east of the 172°(T)/162°(M) bearing from St. Paul Island Airport, AK to 15 miles south of Paul Island Airport, AK, and within a 6.4-mile radius of Unalaska Airport, AK, and within 2.9 miles each side of the 360°(T)/346°(M) bearing from the Dutch Harbor NDB, AK, extending from the 6.4-mile radius of Unalaska Airport, AK, to 9.5 miles north of Unalaska Airport, AK; and that airspace extending upward from 1,200 feet above the surface within a 26.2-mile radius of Eareckson Air Station, AK, within an 11-mile radius of Adak Airport, AK, and within 16 miles of Adak Airport, AK, extending clockwise from the 033°(T)/026°(M) bearing to the 081°(T)/074°(M) bearing from the Mount Moffett NDB, AK, and within a 10-mile radius of Atka Airport, AK, and within a 10.6-mile radius from Cold Bay Airport, AK, and within 9 miles east and 4.3 miles west of the 321°(T)/307°(M) bearing from Cold Bay Airport, AK, extending from the 10.6-mile radius to 20 miles northwest of Cold Bay Airport, AK, and 4 miles each side of the 070°(T)/056°(M) bearing from Cold Bay Airport, AK, extending from the 10.6-mile radius to 13.6 miles northeast of Cold Bay Airport, AK, and within a 26.2-mile radius of Eareckson Air Station, AK, and west of 160° west longitude within an 81.2-mile radius of Perryville Airport, AK, and within a 10-mile radius of St. George Airport, AK, and within a 73-mile radius of St. Paul Island Airport, AK, and within a 20-mile radius of Unalaska Airport, AK, extending clockwise from the 305°(T)/291°(M) bearing from the Dutch Harbor NDB, AK, to the 075°(T)/061°(M) bearing from the Dutch Harbor NDB, AK, and west of 160° longitude within a 25-mile radius of the Borland NDB/DME, AK, and west of 160° longitude within a 72.8-mile radius of Chignik Airport, AK.

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Control 1487L [Amended]

That airspace extending upward from 8,000 feet MSL within 149.5 miles of the Anchorage VOR/DME clockwise from the 090°(T)/065°(M) radial to the 185°(T)/160°(M) radial of the Anchorage VOR/DME, AK; and that airspace extending upward from 5,500 feet MSL within the area bounded by a line beginning at lat. 58°19'58" N., long. 148°55'07" W.; to lat. 59°08'35" N., long. 147°16'04" W.; thence counterclockwise via the 149.5-mile radius of the Anchorage VOR/DME, AK, to the intersection with a point 12 miles from and parallel to the U.S. coastline; thence southeast 12 miles from and parallel to the U.S. coastline to a point 12 miles offshore on the Vancouver FIR boundary; to lat. 54°32'57" N., long. 133°11'29" W.; to lat. 54°00'00" N., long. 136°00'00" W.; to lat. 52°43'00" N., long. 135°00'00" W.; to lat. 56°45'42" N., long. 151°45'00" W.; to the point of beginning; and that airspace extending upward from 1,200 feet MSL within the area bounded by a line beginning at lat. 59°33'25" N., long. 141°03'22" W.; thence southeast 12 miles from and parallel to the U.S. coastline to lat. 58°56'18" N., long.

138°45'19" W.; to lat. 58°40'00" N., long. 139°30'00" W.; to lat. 59°00'00" N., long. 141°10'00" W.; to the point of beginning, and within an 85-mile radius of the Biorka Island VORTAC, AK, and within a 42-mile radius of the Middleton Island VOR/DME, AK, and within a 30-mile radius of the Glacier River NDB, AK; and within a 149.5-mile radius of the Anchorage VOR/DME, AK, within the 73-mile radius of Homer Airport, AK; and that airspace extending upward from 700 feet MSL within 14 miles of the Biorka Island VORTAC, AK, and within 4 miles west and 8 miles east of the Biorka Island VORTAC 209°(T)/181°(M) radial extending to 16 miles southwest of the Biorka Island VORTAC, AK.

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Issued in Washington, DC, on March 7, 2007.

Paul Gallant,

Acting Manager, Airspace and Rules.

[FR Doc. E7-4466 Filed 3-12-07; 8:45 am]

BILLING CODE 4910-13-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 52

[EPA-HQ-OAR-2006-0903; FRL-8286-8]

Public Hearings and Submission of Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing changes to EPA's regulations specifying the public hearing requirements for State Implementation Plan (SIP) submissions, identifying the method for submission of SIPs and preliminary review of plans; and revising the criteria for determining the completeness of plan submissions requirements to reflect the changes to the public hearing and plan submission requirements. EPA is also making administrative changes to update the addresses to several Regional offices. These proposed revisions will modify when state agencies are required to hold public hearings, modify the number of hard copies of SIP submissions required to be submitted to the Regional office and the administrative portion of the completeness criteria for plan submissions.

DATES: Comments must be received on or before April 12, 2007.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2006-0903 by one of the following methods:

1. <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

2. E-mail: lakeman.sean@epa.gov.