

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2007-27430; Airspace Docket No. 07-ANM-4]

**Proposed Establishment of Class E Airspace; Springfield, CO**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to establish Class E airspace at Springfield, CO. Additional controlled airspace is necessary to accommodate aircraft using a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) at Springfield Municipal Airport. The FAA is proposing this action to enhance the safety and management of Instrument Flight Rules (IFR) aircraft operations at Springfield Municipal Airport, Springfield, CO.

**DATES:** Comments must be received on or before September 24, 2007.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2007-27430; Airspace Docket No. 07-ANM-4, at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Eldon Taylor, Federal Aviation Administration, Western Service Area, System Support Group, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 917-6726.

**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-2007-27430 and Airspace Docket No.

07-ANM-4) 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-2007-27430 and Airspace Docket No. 07-ANM-4". 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 NPRM's**

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 the **ADDRESSES** section for the 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 Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Area, System Support Group, 1601 Lind Avenue, SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM's 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 by establishing Class E airspace at Springfield, CO. Controlled airspace is necessary to accommodate

aircraft using the new RNAV (GPS) SIAP at Springfield Municipal Airport. This action would enhance the safety and management of IFR aircraft operations at Springfield Municipal Airport, Springfield, CO.

Class E airspace designations are published in paragraph 6005 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 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, when promulgated, 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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 71.1 of the FAA Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006 is amended as follows:

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

\* \* \* \* \*

#### ANM CO, E5 Springfield, CO [New]

Springfield Municipal Airport, CO  
(Lat. 37°27'56" N., long. 102°37'14" W.)

That airspace extending upward from 700 feet above the surface within a 7.0-mile radius of Springfield Municipal Airport; that airspace extending upward from 1,200 feet above the surface beginning at TOBE VORTAC, thence north along V-169 to lat. 38°34'00" N., thence to lat. 38°34'00" N., long. 102°00'00" W., thence to lat. 36°30'00" N., long. 102°00'00" W., thence west on lat. 36°30'00" N. to V-81, thence northwest along V-81 to point of beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on July 25, 2007.

#### Clark Desing,

Manager, System Support Group, Western Service Area.

[FR Doc. E7-15578 Filed 8-8-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF JUSTICE

### 28 CFR Part 26

[Docket No. OJP (DOJ)-1464]

RIN 1121-AA74

#### Certification Process for State Capital Counsel Systems

**AGENCY:** Department of Justice.

**ACTION:** Notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** On June 6, 2007, the Department of Justice published a notice of proposed rulemaking in the **Federal Register**, 72 FR 31217, concerning a process for certifying state systems for providing counsel to indigent capital defendants. That rulemaking was issued pursuant to section 507 of the USA PATRIOT Improvement and Reauthorization Act. The original 60-day comment period expired on August 6, 2007. The Department is reopening the comment period for an additional 45-day period.

**DATES:** Comments must be received on or before September 24, 2007.

**ADDRESSES:** Please address all comments, by U.S. mail, to: Ms. Danica Szarvas-Kidd, Policy Advisor for Adjudication, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW., Washington, DC 20531; by telefacsimile (fax), to: (202) 307-0036 or by e-mail, to: [OJP\\_Fed\\_Reg\\_Comments@usdoj.gov](mailto:OJP_Fed_Reg_Comments@usdoj.gov). To ensure proper handling, please

reference OJP Docket No.1464 on your correspondence. You may view an electronic version of the proposed rule at [www.regulations.gov](http://www.regulations.gov), and you may also comment by using the [www.regulations.gov](http://www.regulations.gov) comment form. When submitting comments electronically you must include OJP Docket No. 1464 in the subject box.

**FOR FURTHER INFORMATION CONTACT:** Danica Szarvas-Kidd (Policy Advisor for Adjudication), (202) 305-7418. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** On June 6, 2007, the Department of Justice (Department) published a notice of proposed rulemaking in the **Federal Register**, 72 FR 31217, in order to promulgate regulations pursuant to Public Law 109-177, the USA PATRIOT Improvement and Reauthorization Act of 2005, ("the Act"). Section 507 of the Act amends chapter 154 of title 28 of the United States Code. Chapter 154 provides expedited Federal habeas corpus review procedures in capital cases for States that establish a mechanism for providing counsel to indigent capital defendants in state postconviction proceedings that satisfies certain statutory requirements. The Act amended sections 2261(b) and 2265 of title 28 to assign responsibility to the Attorney General of the United States for certification of a State's satisfaction of the requirements for the application of chapter 154, subject to review by the Court of Appeals for the District of Columbia Circuit. Section 2265(a) as amended makes clear that the only requirements that the Attorney General may impose for a state to receive certification are those expressly stated in chapter 154. See 28 U.S.C. 2265(a)(3) ("[t]here are no requirements for certification or for application of this chapter other than those expressly stated in this chapter"). As a result, the rule in large measure simply recounts and provides illustration relating to the express statutory requirements, addresses some limited interpretive questions, and outlines a procedure for States' requests for certification.

The Department consulted with a number of groups in developing this proposed rule to carry out the statutory directive, including representatives of state officials and both prosecution and defense interests concerned with capital case litigation. Notwithstanding the limited nature of the matters to be determined in the rule, the extensive consultation concerning these matters with interested officials and organizations, and the normal 60-day period for comment provided in the rule as originally published, a number of

organizations involved in capital defense or advocacy activities have requested additional time for comment. While the justification for the requested extensions is at best marginal in light of the considerations noted above, and extending the time for comment will further delay realization of the legislative objectives reflected in chapter 154 of title 28, the Department nevertheless wishes to ensure ample opportunity for provision of input by interested groups and members of the public.

Further, some technical problems arose because of the recent transition of the Department to using the Regulations.gov Web site (<http://www.regulations.gov>) to post public comments on rulemakings. These problems with using Regulations.gov have now been resolved and public comments received by the Department are posted for public viewing in a timely manner. However, there was a short period when public comments received by the Department and posted by Department personnel to the Regulations.gov site were not viewable by the public.

Accordingly, the Department is reopening the public comment period and will accept comments for an additional 45 days after publication of this notice of proposed rulemaking.

Dated: August 1, 2007.

#### Cybele Daley,

Deputy Assistant Attorney General, Office of Justice Programs.

[FR Doc. E7-15254 Filed 8-8-07; 8:45 am]

BILLING CODE 4410-18-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R07-OAR-2007-0620; FRL-8450-4]

#### Approval and Promulgation of Implementation Plans; State of Kansas

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the state of Kansas for the purpose of including the Kansas City 8-hour ozone maintenance plan into the SIP. Section 110(a)(1) of the Clean Air Act requires that areas which were maintenance areas for the 1-hour ozone standard and attainment for the 8-hour ozone standard develop a plan showing how the state will maintain the ozone standard for the