

## 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 7400.9R, Airspace Designation and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

\* \* \* \* \*

*Paragraph 5000 Class D Airspace.*

#### ASW OK D Altus, OK [Amended]

Altus AFB, OK

(Lat. 34°39'30" N., long. 99°16'00" W.)

Altus AFB ILS Localizer

(Lat. 34°38'32" W., long. 99°16'26" W.)

That airspace extending upward from the surface to and including 3,900 feet MSL within a 6-mile radius of Altus AFB and within 2 miles each side of the Altus AFB ILS 17R Localizer north course extending from the 6-mile radius to 7.6 miles north of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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

#### ASW OK E5 Altus, OK [Amended]

Altus AFB, OK

(Lat. 34°39'30" N., long. 99°16'00" W.)

Altus VORTAC

(Lat. 34°39'46" N., long. 99°16'16" W.)

Altus Quartz Mountain Regional Airport, OK

(Lat. 34°41'56" N., long. 99°20'17" W.)

Tipton Municipal Airport, OK

(Lat. 34°27'31" N., long. 99°10'17" W.)

Frederick Municipal Airport, OK

(Lat. 34°21'08" N., long. 98°59'05" W.)

Altus AFB ILS Localizer

(Lat. 34°38'32" N., long. 99°16'26" W.)

Frederick NDB

(Lat. 34°21'14" N., long. 98°59'11" W.)

That airspace extending upward from 700 feet above the surface within a 9.1-mile radius of Altus AFB and within 1.6 miles each side of the 185° radial of the Altus VORTAC extending from the 9.1-mile radius 11.9 miles south of the airport and within 3 miles west and 2 miles east of the Altus AFB Localizer north course extending from the 9.1-mile radius to 15 miles north of the airport and within a 6.5-mile radius of Altus Quartz Mountain Regional Airport, and within a 5.4-mile radius of Tipton Municipal Airport, and within a 7.2-mile radius of Frederick Municipal Airport, and within 2.5 miles each side of the 180° bearing from the

Frederick NDB extending from the 7.2-mile radius to 7.7 miles south of the airport and within a 12-mile radius of Altus AFB beginning at a point 3 miles west of the Altus VORTAC 019° radial, thence clockwise along the 12-mile radius ending at a point 3 miles west of the Altus VORTAC 185° radial.

\* \* \* \* \*

Issued in Fort Worth, TX, on March 26, 2008.

**Donald R. Smith,**

*Manager, System Support Group, ATO Central Service Center.*

[FR Doc. E8–7078 Filed 4–11–08; 8:45 am]

**BILLING CODE 4910–13–M**

written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on April 10, 2008. No adverse comments were received, and thus this notice confirms that effective date.

Issued in College Park, GA on March 28, 2008.

**Barry A. Knight,**

*Acting Manager, System Support Group, Eastern Service Center.*

[FR Doc. E8–7670 Filed 4–11–08; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2007–0274; Airspace Docket No. 07–AEA–14]

#### Establishment of Class E Airspace; Lewistown, PA

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

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** This action confirms the effective date of a direct final rule that establishes a Class E airspace area to support Area Navigation (RNAV) Global Positioning System (GPS) Special Instrument Approach Procedures (IAPs) that serve the Lewistown Hospital, Lewistown, PA.

**DATES:** Effective 0901 UTC, April 10, 2008. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Daryl Daniels, Airspace Specialist, System Support, AJO2–E2B.12, FAA Eastern Service Center, 1701 Columbia Ave., College Park, GA 30337; telephone (404) 305–5581; fax (404) 305–5572.

#### **SUPPLEMENTARY INFORMATION:**

##### **Confirmation of Effective Date**

The FAA published this direct final rule with a request for comments in the **Federal Register** on January 30, 2008 (73 FR 5429). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30600; Amdt. No. 3262]

#### Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This Rule establishes, amends, suspends, or revokes STANDARD Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective April 14, 2008. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 14, 2008.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800

Independence Avenue, SW.,  
Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169; or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at 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).

**Availability**—All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit [nfdc.faa.gov](http://nfdc.faa.gov) to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

**FOR FURTHER INFORMATION CONTACT:**

Harry J. Hodges, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPs. The complete regulators' description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the **Federal Register** expensive and impractical. Furthermore, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their depiction on charts printed by publishers of aeronautical materials. This, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP,

Takeoff Minimums and ODP listed on FAA forms is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs and the effective dates of the associated Takeoff Minimums and ODPs. This amendment also identifies the airport and its location, the procedure, and the amendment number.

**The Rule**

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as contained in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedures before adopting these SIAPs, Takeoff Minimums and ODPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

**Conclusion**

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. It, therefore—(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. For the same reason, the FAA certifies that this amendment 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 97**

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC on March 21, 2008.

**James J. Ballough,**

*Director, Flight Standards Service.*

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me, Under Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and/or Takeoff Minimums and/or Obstacle Departure Procedures effective at 0902 UTC on the dates specified, as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

■ 1. The authority citation for part 97 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721-44722.

■ 2. Part 97 is amended to read as follows:

*\* \* \* Effective 8 MAY 2008*

Sioux City, IA, Sioux Gateway/Col Bud Day Field, ILS OR LOC RWY 13, Amdt 1F  
Sioux City, IA, Sioux Gateway/Col Bud Day Field, ILS OR LOC RWY 31, Amdt 24E  
Warsaw, IN, Warsaw Muni, ILS OR LOC/DME RWY 27, Orig-C  
Duluth, MN, Duluth Intl, ILS OR LOC RWY 27, Amdt 8C  
Fremont, NE, Fremont Muni, RNAV (GPS) RWY 14, Amdt 1  
Akron, OH, Akron-Canton Regional, ILS OR LOC RWY 23, Amdt 10B  
Harlingen, TX, Valley Intl, ILS OR LOC RWY 17R, Orig-A  
Midland, TX, Midland Intl, ILS OR LOC RWY 10, Amdt 14B

*\* \* \* Effective 5 JUN 2008*

Auburn, AL, Auburn-Opelika Robert G. Pitts, ILS OR LOC RWY 36, Amdt 1  
Durango, CO, Durango-La Plata County, Takeoff Minimums and Obstacle DP, Amdt 6  
Cross City, FL, Cross City, RNAV (GPS) RWY 31, Orig  
Cross City, FL, Cross City, VOR RWY 31, Amdt 18  
Cross City, FL, Cross City, Takeoff Minimums and Obstacle DP, Orig  
Albany, GA, Southwest Georgia Regional, ILS OR LOC RWY 4, Amdt 10C  
Atlanta, GA, Dekalb-Peachtree, Takeoff Minimums and Obstacle DP, Amdt 1  
Seymour, IN, Freeman Muni, RNAV (GPS) RWY 5, Orig-A

South Bend, IN, South Bend Regional, ILS OR LOC RWY 9R, Amdt 9  
 South Bend, IN, South Bend Regional, RADAR-1, Amdt 10  
 Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 23, Amdt 2  
 Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 23, Orig  
 Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) Y RWY 23, Orig, CANCELLED  
 Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) Z RWY 23, Orig, CANCELLED  
 Lebanon, NH, Lebanon Muni, ILS OR LOC RWY 18, Amdt 5A  
 Monticello, NY, Monticello, VOR/DME OR GPS RWY 1, Amdt 3, CANCELLED  
 Monticello, NY, Monticello, Takeoff Minimums and Obstacle DP, Amdt 2, CANCELLED  
 Dayton, OH, Green County-Lewis A. Jackson Regional, NDB RWY 25, Amdt 1, CANCELLED  
 Savannah, TN, Savannah-Hardin County, SDF RWY 19, Amdt 4, CANCELLED  
 Ogden, UT, Ogden-Hinckley, GPS RWY 7, Orig-B, CANCELLED  
 Pullman/Moscow, ID, WA, Pullman/Moscow Regional, VOR/DME-A, Amdt 1A, CANCELLED  
 Eau Claire, WI, Chippewa Valley Regional, RNAV (GPS) RWY 22, Orig  
 Eau Claire, WI, Chippewa Valley Regional, NDB RWY 22, Amdt 7  
 Eau Claire, WI, Chippewa Valley Regional, Takeoff Minimums and Obstacle DP, Amdt 2

On March 10, 2008 (73 FR 12631) the FAA published Amendments in Docket No. 30595, Amdt No. 3258 to Part 97 of the Federal Aviation Regulations under section 97.25 effective April 10, 2008 which are corrected to read as follows:

Rutland, VT, Rutland-Southern Vermont Rgnl, LOC Y RWY 19, Amdt 2  
 Rutland, VT, Rutland-Southern Vermont Rgnl, LOC Z RWY 19, Orig

On March 10, 2008 (73 FR 12631) the FAA published Amendments in Docket No. 30595, Amdt No. 3258 to Part 97 of the Federal Aviation Regulations under sections 97.27, 97.29, and 97.33 effective April 10, 2008 which are hereby rescinded:

Anniston, AL, Anniston Metropolitan, ILS OR LOC RWY 5, Amdt 2  
 Anniston, AL, Anniston Metropolitan, RNAV (GPS) RWY 5, Orig  
 Anniston, AL, Anniston Metropolitan, RNAV (GPS) RWY 23, Orig  
 Anniston, AL, Anniston Metropolitan, NDB RWY 5, Amdt 3

[FR Doc. E8-7701 Filed 4-11-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### 49 CFR Part 1

[Docket No. DOT-OST-1999-6189]

RIN 9991-AA52

### Organization and Delegation of Powers and Duties; National Highway Traffic Safety Administrator

**AGENCY:** Office of the Secretary of Transportation, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment delegates various authorities vested in the Secretary of Transportation (Secretary) by the Energy Independence and Security Act of 2007 (Act) (Pub. L. 110-140; December 19, 2007) to the National Highway Traffic Safety Administrator.

**DATES:** *Effective Date:* This final rule is effective on April 14, 2008.

**FOR FURTHER INFORMATION CONTACT:** Stan Feldman, Associate Chief Counsel, Office of Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., West Building, W41-308, Washington, DC 20590, Telephone: (202) 366-1834.

**SUPPLEMENTARY INFORMATION:** On December 19, 2007, the Act was signed into law. Title 49 of the Code of Federal Regulations (CFR) 1.50 delegates to the Administrator of the National Highway Traffic Safety Administration (NHTSA) the authority to carry out various functions and activities related to the mission of the agency vested in or delegated to the Secretary. The Secretary has determined that certain authority vested in the Secretary under the Act concerning automobile fuel economy and other matters should be delegated to the National Highway Traffic Safety Administrator. This rulemaking adds paragraph (q) to § 1.50 to reflect these delegations.

Since this amendment relates to departmental management, organization, procedure, and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Further, since the amendment expedites the Department's ability to meet the statutory intent of the applicable laws and regulations covered by this delegation, the Secretary finds good cause under 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

### Regulatory Analyses and Notices

#### A. Executive Order 12866 and DOT Regulatory Policies and Procedures

The final rule is not considered a significant regulatory action under Executive Order 12866 and DOT

Regulatory Policies and Procedures (44 FR 11034). There are no costs associated with this rule.

#### B. Executive Order 13132

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism"). This final rule does not have a substantial direct effect on, or sufficient federalism implications for, the States, nor would it limit the policymaking discretion of the States. Therefore, the consultation requirements of Executive Order 13132 do not apply.

#### C. Executive Order 13175

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13175 ("Consultation and Coordination with Indian Tribal Governments"). Because this final rule does not significantly or uniquely affect the communities of the Indian tribal governments and does not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13175 do not apply.

#### D. Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule under the Administrative Procedure Act, 5 U.S.C. 553, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We also do not believe this rule would impose any costs on small entities because it simply delegates authority from one official to another. Therefore, I certify this final rule will not have a significant economic impact on a substantial number of small businesses.

#### E. Paperwork Reduction Act

This rule contains no information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### F. Unfunded Mandates Reform Act

The Department of Transportation has determined that the requirements of Title II of the Unfunded Mandates Reform Act of 1995 do not apply to this rulemaking.

### List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

■ For the reasons set forth in the preamble, the Office of the Secretary of Transportation amends 49 CFR part 1 as follows: