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Done at Washington, DC, on August 27, 2008.

**Alfred V. Almanza,**  
Administrator.

[FR Doc. E8-20368 Filed 9-2-08; 8:45 am]

BILLING CODE 3410-DM-P

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0550; Airspace Docket 08-AEA-21]

#### Modification of Class D and Class E Airspace; Rome, NY

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

**ACTION:** Direct final rule, request for comments.

**SUMMARY:** This action modifies the Class D and E airspace at Griffiss Airfield in Rome, NY. After the development of specific Departure Procedures (DPs) at the airfield, it was determined the Class D and E Surface airspace should be reduced in size to facilitate a more efficient operation. This rule increases

the safety and management of the National Airspace System (NAS) around Griffiss Airfield.

**DATES:** Effective 0901 UTC, November 20, 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. Comments should be received no later than October 3, 2008.

**ADDRESSES:** Send comments on this rule to: U. S. Department of Transportation, Docket Operations, West Building, Ground Floor, Room W12-140, 1200 New Jersey, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2008-0550; Airspace Docket No. 08-AEA-21, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the rule, 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 Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

**FOR FURTHER INFORMATION CONTACT:** Melinda Giddens, Operations Support, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5610.

#### SUPPLEMENTARY INFORMATION:

##### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comments, and, therefore, issues it as a direct final rule. The FAA has determined that this rule only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. This rule is effective and there will be no further action by the FAA unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment is received within the comment period. If the FAA receives, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the

direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. An electronic copy of this document may be downloaded from and comments may be submitted and reviewed at <http://www.regulations.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>. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. Those wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2008-0550; Airspace Docket No. 08-AEA-21." The postcard will be date stamped and returned to the commenter.

#### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class D and E2 airspace at Rome, NY by reducing the controlled airspace, extending upward from the surface of the Earth to support IFR operations at Griffiss Airfield to a 5.0-mile radius with minor extensions for arrivals. Class D and E2 Surface airspace is usually predicated on departures from an airport with a control tower climbing at a standard rate of climb in random

directions until reaching 700 feet above the surface of the Earth. Additionally, the point an aircraft reaches the 1000-foot point Above Ground Level (AGL) while descending on a Standard Instrument Approach determines extensions to the Class D and E2 airspace. On September 7, 2007, airspace was developed around the Griffiss Airfield to encompass this requirement (72 FR 51357). The criteria at that time required the airspace to be an 8.4-mile radius of the airport because of rising terrain. Since that date, Departure Procedures (DPs) have been developed requiring aircraft to climb on specific headings until reaching that 700-foot AGL altitude prior to turning. This required procedure allows for the reduction in size of the current Class D and E2 airspace facilitating a more efficient operation. This Docket provides for that reduction.

Class D and E2 airspace designations for airspace areas extending upwards from the surface of the Earth are published in Paragraph 5000 and 6002 respectively, of FAA Order 7400.9R, dated August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class D and E2 airspace designations listed in this document will be published subsequently in the Order.

**Agency Findings**

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this 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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States code. 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Class D and E2 airspace at Griffiss Airfield in Rome, NY.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

■ In consideration of the foregoing, the Federal Aviation Administration amends 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 7400.9R, Airspace Designations and Reporting Points, dated August 15, 2007, and effective September 15, 2007, is amended as follows:

*Paragraph 5000 Class D Airspace.*  
\* \* \* \* \*

**AEA NY D Rome, NY [Revised]**

Griffiss Airfield, NY  
(Lat. 43°14'02" N, Long. 75°24'25" W)

That airspace extending upward from the surface of the Earth to and including 3,000 feet MSL within a 5.0-mile radius of the Griffiss Airfield and within 1.2 miles each side of the 331° bearing from the airport to 5.6 miles northwest of the airfield and within 1.3 miles each side of the 152° bearing from the Griffiss Airfield to 5.1 miles southeast of the Airfield. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

**AEA NY E2 Rome, NY [Revised]**

Griffiss Airfield, NY  
(Lat. 43°14'02" N, Long. 75°24'25" W)

That airspace extending upward from the surface of the Earth within a 5.0-mile radius of the Griffiss Airfield and within 1.2 miles each side of the 331° bearing from the airport to 5.6 miles northwest of the airfield and within 1.3 miles each side of the 152° bearing from the Griffiss Airfield to 5.1 miles southeast of the Airfield. This Class E Surface airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in College Park, Georgia, on August 4, 2008.

**Mark D. Ward,**  
*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. E8–19568 Filed 9–2–08; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA–2008–0457; Airspace Docket No. 08–AAL–16]

**Revision of Class E Airspace; Red Dog, AK**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects two errors in the airspace description contained in a Final Rule that was published in the **Federal Register** on Friday, July 25, 2008 (73 FR 43351), Airspace Docket No. 08–AAL–16.

**DATES:** Effective Date: 0901 UTC, September 25, 2008.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, AAL–538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; e-mail. Internet address: <http://www.alaska.faa.gov/at>.

**SUPPLEMENTARY INFORMATION:**

**History**

**Federal Register** Document E8–16962, Airspace Docket No. 08–AAL–16, published on Friday, July 25, 2008 (73 FR 43351), revised Class E airspace at Red Dog, AK. An error was discovered in the airspace description that misidentified the airfield location. A