

March 22, 2008, and September 8, 2008. A total of 83 comments on the four proposals were not relayed to the Board. As set forth below, the Board will accept resubmission of those comments that were not received.

**DATES:** Comments must be received on or before November 12, 2008.

**ADDRESSES:** Affected commenters may re-submit comments by using this link: <http://www.federalreserve.gov/generalinfo/foia/lostcomments.cfm>.

**SUPPLEMENTARY INFORMATION:** The Board of Governors of the Federal Reserve System recently received notice that 83 comment letters submitted between March 22, 2008, and September 8, 2008, via the Federal eRulemaking Portal (<http://www.regulations.gov>) on four of the Board's rulemaking proposals [Docket No. R-1286, Regulation Z, Truth in Lending (73 FR 28867, May 19, 2008); Docket No. R-1314, Regulation AA, Unfair or Deceptive Acts or Practices (73 FR 28905, May 19, 2008); Docket No. R-1315, Regulation DD, Truth in Savings (73 FR 28739, May 19, 2008); and Docket No. R-1316, Regulation V, Fair Credit Reporting (73 FR 28966, May 19, 2008)] that have not been acted on were not forwarded to the Board, due to a software problem at that portal.<sup>1</sup> The problem affects comments that were sent only to the eRulemaking Portal. Comments sent by other means (by e-mail to the Board's comments mailbox, by facsimile, or by mail) are not affected. Because the identities of the commenters affected by this software problem are not retrievable, the Board requests that before resubmitting a comment, you review the Board's Web site at: <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm> to determine if your comment has been posted. If the comment that you submitted has not been posted, you may re-submit your comment by using this link: <http://pubdev.frb.gov/generalinfo/foia/LostComments.cfm>.

Dated: October 23, 2008.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E8-25610 Filed 10-27-08; 8:45 am]

**BILLING CODE 6210-01-P**

<sup>1</sup> The interagency "eRulemaking Program" launched the Web site <http://www.regulations.gov> in January 2003 to provide access and an opportunity to comment on all proposed federal regulations at one online portal. The Federal Reserve has received assurances that the software problem has been corrected and safeguards are now in place to ensure the error will not occur for future proposed rules. Questions about this matter may be directed to John Moses, Chief, eRulemaking Program Branch, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, 202/566-1352, or [Moses.John@epamail.epa.gov](mailto:Moses.John@epamail.epa.gov).

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0997; Airspace Docket No. 08-AAL-28]

#### Proposed Amendment of Class E Airspace; Bethel, AK

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to amend Class D and E airspace at Bethel, AK. The Airport and Navigation Aids will be soon undergoing a magnetic variation change. This change will result in the necessity to revise the airspace descriptions. Additionally, the present 1,200 foot airspace is no longer necessary, because Bethel lies within a larger section of controlled airspace called the Yukon-Kuskokwim Delta Class E airspace covering the area required for the airport. Adoption of this proposal would result in amendment of existing Class D and E airspace upward from the surface, and from 700 feet (ft.) and 1,200 ft. above the surface at the Bethel Airport, Bethel, AK.

**DATES:** Comments must be received on or before December 12, 2008.

**ADDRESSES:** Send comments on the proposal to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2008-0997/Airspace Docket No. 08-AAL-28, at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Manager, Safety, Alaska Flight Service Operations, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone

number (907) 271-5898; fax: (907) 271-2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: <http://www.alaska.faa.gov/at>.

#### 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 and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2008-0997/Airspace Docket No. 08-AAL-28." 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 notice 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 Notice of Proposed Rulemakings (NPRMs)

An electronic copy of this document may be downloaded through the Internet 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 Superintendent of Document's Web page at <http://www.access.gpo.gov/nara/index.html>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591 or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being

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

### The Proposal

The FAA is considering an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71, which would amend the Class D and E airspace at the Bethel Airport, in Bethel, AK. The intended effect of this proposal is to amend Class D and E airspace upward from the surface, and from 700 ft. and 1,200 ft. above the surface to contain Instrument Flight Rules (IFR) operations at the Bethel Airport, Bethel, AK.

The Bethel Airport and its Navigation Aids will be soon undergoing a magnetic variation change. This change will result in the necessity to amend the airspace descriptions. There will be no visible change to the airspace currently depicted on aeronautical charts.

Additionally, the present 1,200 foot airspace description is no longer necessary, because Bethel, Alaska lies within a larger section of Class E5 airspace, called Yukon-Kuskokwim Delta, covering the area required for the airport. Class D and E controlled airspace extending upward from the surface, and from 700 ft. and 1,200 ft. above the surface in the Bethel Airport area would be amended by this action. The proposed airspace is sufficient in size to contain aircraft executing the instrument procedures at the Bethel Airport, Bethel, AK.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class D airspace area designations are published in paragraph 5000 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as surface areas are published in paragraph 6002 and 6004 in FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 in FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace

designations 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. 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 1, 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 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it proposes to create Class D and E airspace sufficient in size to contain aircraft executing instrument procedures at the Bethel Airport, AK, and represents the FAA's continuing effort to safely and efficiently use the navigable airspace.

### 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, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 Federal Aviation Administration Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, is to be amended as follows:

\* \* \* \* \*

*Paragraph 5000 Class D Airspace Extending Upward from 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

### AAL AK D Bethel, AK [Amended]

Bethel, Bethel Airport, AK  
(Lat. 60°46'47" N., long. 161°50'17" W.)  
Bethel VORTAC  
(Lat. 60°47'05" N., long. 161°49'28" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL and within a 4.1-mile radius of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL between the 058°(T)/044°(M) radial and the 078°(T)/064°(M) radial of the Bethel VORTAC, AK, from 2.9 miles northeast of the Bethel VORTAC, AK. 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 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

### AAL AK E2 Bethel, AK [Amended]

Bethel, Bethel Airport, AK  
(Lat. 60°46'47" N., long. 161°50'17" W.)  
Bethel VORTAC  
(Lat. 60°47'05" N., long. 161°49'28" W.)

Within a 4.1-mile radius of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL between the 058°(T)/044°(M) radial and the 078°(T)/064°(M) radial of the Bethel VORTAC, AK, from 2.9 miles northeast of the Bethel VORTAC, AK. This Class E 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 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area.*

\* \* \* \* \*

### AAL AK E4 Bethel, AK [Amended]

Bethel, Bethel Airport, AK  
(Lat. 60°46'47" N., long. 161°50'17" W.)  
Bethel VORTAC  
(Lat. 60°47'05" N., long. 161°49'28" W.)

That airspace extending upward from the surface within 3 miles each side of the 023°(T)/009°(M) radial of the Bethel

VORTAC, AK, extending from the 4.1-mile radius of the Bethel Airport, AK, to 8.2 miles northeast of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL between the 058°(T)/044°(M) radial and the 078°(T)/064°(M) radial of the Bethel VORTAC, AK, from 2.9 miles northeast of the Bethel VORTAC, AK, and within 3.4 miles each side of the 008°(T)/354°(M) radial of the Bethel VORTAC, AK, extending from the 4.1-mile radius of the Bethel Airport, AK, to 11 miles north of the Bethel VORTAC, AK, and within 3.5 miles each side of the 215°(T)/201°(M) radial of the Bethel VORTAC, AK, extending from the 4.1-mile radius of the Bethel Airport, AK, to 5 miles southwest of the Bethel Airport, AK.

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Extending Upward from 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### AAL AK E5 Bethel, AK [Amended]

Bethel, Bethel Airport, AK

(Lat. 60°46'47" N., long. 161°50'17" W.)

Bethel VORTAC

(Lat. 60°47'05" N., long. 161°49'28" W.)

That airspace extending upward from 700 feet above the surface within a 16.8-mile radius of the Bethel Airport, AK, and within 8 miles west and 4 miles east of the Bethel Localizer front course extending from the 16.8-mile radius of the Bethel Airport, AK, to 22.8 miles north of the Bethel Airport, AK, and within 8 miles east and 4 miles west of the Bethel Localizer back course extending from the 16.8-mile radius of the Bethel Airport, AK, to 21.4 miles south of the Bethel Airport, AK.

\* \* \* \* \*

Issued in Anchorage, AK, on October 20, 2008.

**Marshall G. Severson,**

*Acting Manager, Alaska Flight Services Information Area Group.*

[FR Doc. E8-25714 Filed 10-27-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0982; Airspace Docket No. 08-ANM-6]

#### Proposed Modification of Class E Airspace; Alamosa, CO

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to modify Class E airspace at Alamosa, 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 Alamosa, San Luis Valley Regional/Bergman Field. The FAA is proposing this action to enhance the safety and management of aircraft operations at Alamosa, San Luis Valley Regional/Bergman Field, CO.

**DATES:** Comments must be received on or before December 12, 2008.

**ADDRESSES:** Send comments on this proposal to the 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-2008-0982; Airspace Docket No. 08-ANM-6, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Area, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

#### 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-2008-0982 and Airspace Docket No. 08-ANM-6) 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://www.regulations.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-2008-0982 and Airspace Docket No. 08-ANM-6". 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://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>.

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, Operations Support Group, 1601 Lind Avenue, SW., Renton, WA 98057.

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 by modifying Class E airspace at Alamosa, CO. Additional controlled airspace is necessary to accommodate aircraft using the new RNAV (GPS) SIAP at Alamosa, San Luis Valley Regional/Bergman Field. This action would enhance the safety and management of aircraft operations at Alamosa, San Luis Valley Regional/Bergman Field, CO.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9R, signed August 15, 2007, and effective September 15, 2007, 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.