

the following change: On page 62876, in the third column, under "Summary", and on page 62877, in the second column, under "History and The Rule", and on page 62878, in the first column, under "ASO GA E Dallas, GA [New]", correct the airport name to read "Paulding County Regional Airport".

#### Confirmation of Effective Date

The FAA published this direct final rule with a request for comments in the **Federal Register** on October 22, 2008, (73 FR 62876), establishing Class E airspace to support Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPS) developed for Paulding County Regional Airport. 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 written notice of intent to submit such an adverse comment were received within the comment period, the regulation would become effective on January 15, 2009. No adverse comments were received, and thus this notice confirms that effective date.

\* \* \* \* \*

Issued in College Park, GA, on April 2, 2009.

**Myron A. Jenkins,**

*Acting Manager, Operations Support Group,  
Eastern Service Center, Air Traffic  
Organization.*

[FR Doc. E9-8846 Filed 4-17-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2009-0202; Airspace  
Docket 09-AEA-11]

#### Modification of Class D and Class E Airspace, Establishment of Class E Airspace; Binghamton, 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 Binghamton Regional/Edwin A. Link Field Airport in Binghamton, NY. After the development of specific Approach Procedures (APs) at the airfield, it was determined the Class D and E Surface airspace should be modified to facilitate a more efficient

operation. This rule increases the safety and management of the National Airspace System (NAS) around Binghamton Regional/Edwin A. Link Field.

**DATES:** Effective 0901 UTC, July 2, 2009. 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 June 4, 2009.

**ADDRESSES:** Send comments on this rule to: U.S. Department of Transportation, Docket Operations, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001; *Telephone:* 1-800-647-5527; *Fax:* 202-493-2251. You must identify the Docket Number FAA-2009-0202; Airspace Docket No. 09-AEA-11, 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. Unless a written adverse or negative comment or a written notice of intent to submit and adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment

period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the effective date. 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/airports/airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports/airtraffic/air_traffic/publications/airspace_amendments/). 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-2009-0202; Airspace Docket No. 09-AEA-11." 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 E4 airspace and

establishes Class E2 airspace at Binghamton, NY by expanding the controlled airspace, extending upward from the surface of the Earth to support IFR operations at Binghamton Regional/Edwin A. Link Field Airport to a 4.3-mile radius with minor extensions for arrivals.

Class D, Class E2 and E4 airspace designations for airspace areas extending upwards from the surface of the Earth are published in Paragraph 5000, 6002 and 6004 respectively, of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, 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, E2 and E4 airspace at Binghamton Regional/Edwin A. Link Field Airport in Binghamton, 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 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 7400.9S, Airspace Designations and Reporting Points, dated October 3, 2008, and effective October 31, 2008, is amended as follows:

Paragraph 5000 Class D Airspace.

\* \* \* \* \*

AEA NY D Binghamton, NY [REVISED]

Binghamton Regional/Edwin A. Link Field Airport, Binghamton, NY (Lat. 42°12'31" N, long. 75°58'47" W)

That airspace extending upward from the surface to and including 4,100 feet MSL within a 4.3-mile radius of the Binghamton Regional/Edwin A. Link Field Airport. 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.

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Paragraph 6002 Class E Airspace

Designated as Surface Areas.

\* \* \* \* \*

AEA NY E2 Binghamton, NY [NEW]

Binghamton Regional/Edwin A. Link Field Airport, Binghamton, NY (Lat. 42°12'31" N, long. 75°58'47" W)

Binghamton VORTAC (Lat. 42°09'27" N, long. 76°08'11" W) SMITE LOM (Lat. 42°06'17" N, long. 75°53'29" W)

ILS Runway 34 Localizer (Lat. 42°13'12" N, long. 75°59'15" W)

That airspace extending upward from the surface of the Earth within a 4.3-mile radius of the Binghamton Regional/Edwin A. Link Field Airport and within 1.6 miles each side

of the 070° bearing from the airport to 9.3 miles northeast of the airport and within 1.8 miles each side of the Binghamton VORTAC 067° bearing from the VORTAC to the 4.3-mile radius to the airport and within 1.8 miles each side of the Binghamton Regional/Edwin A. Link Field Airport ILS LOC SE course extending from the 4.3-mile radius of the airport to 1.8 miles SE of the SMITE LOM. 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.

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Paragraph 6004 Class E Airspace Designated as an Extension to Class D Surface Areas.

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AEA NY E4 Binghamton, NY [REVISED]

Binghamton Regional/Edwin A. Link Field Airport, Binghamton, NY

(Lat. 42°12'31" N, long. 75°58'47" W)

Binghamton VORTAC (Lat. 42°09'27" N, long. 76°08'11" W)

SMITE LOM (Lat. 42°06'17" N, long. 75°53'29" W)

Binghamton Regional/Edwin A. Link Field Airport ILS Runway 34 Localizer (Lat. 42°13'12" N, long. 75°59'15" W)

That airspace extending upward from the surface within 1.6 miles each side of the 070° bearing from the airport to 9.3 miles northeast of the airport and within 1.8 miles each side of the Binghamton VORTAC 067° bearing from the VORTAC to the 4.3-mile radius to the airport and within 1.8 miles each side of the Binghamton Regional/Edwin A. Link Field Airport ILS LOC SE course extending from the 4.3-mile radius of the airport to 1.8 miles SE of the SMITE LOM. 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.

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Issued in College Park, Georgia, on April 2, 2009.

Myron A. Jenkins, Acting Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0240]

RIN 1625-AAOO

Safety Zone, Red River, MN

AGENCY: Coast Guard, DHS.