

materials being dropped into lavatory paper or linen waste receptacles.

#### Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Restatement of Requirements of AD 74-08-09 R2, Amendment 39-9680, With Revised Compliance Times in Paragraph (j)

#### Placard Installation

(g) Within 60 days after August 6, 1974 (the effective date of AD 74-08-09, amendment 39-1917), or before the accumulation of any time in service on a new production aircraft after delivery, whichever occurs later—except that new production aircraft may be flown in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to a base where compliance may be accomplished: Accomplish the requirements of paragraphs (g)(1) and (g)(2) of this AD.

(1) Install a placard on each side of each lavatory door over the door knob, or on each side of each lavatory door, or adjacent to each side of each lavatory door. The placards must contain the legible words “No Smoking in Lavatory” or “No Smoking,” or contain “No Smoking” symbology in lieu of words, or contain both wording and symbology, to indicate that smoking is prohibited in the lavatory. The placards must be of sufficient size and contrast and be located so as to be conspicuous to lavatory users. And

(2) Install a placard on or near each lavatory paper or linen waste disposal receptacle door, containing the legible words or symbology indicating “No Cigarette Disposal.”

#### Announcement Procedures

(h) Within 30 days after August 6, 1974, establish a procedure that requires that, no later than a time immediately after the “No Smoking” sign is extinguished following takeoff, an announcement be made by a crewmember to inform all aircraft occupants that smoking is prohibited in the aircraft lavatories; except that, if the aircraft is not equipped with a “No Smoking” sign, the required procedure must provide that the announcement be made prior to each takeoff.

#### Ashtray Installation

(i) Except as provided by paragraph (j) of this AD: Within 180 days after August 6, 1974, or before the accumulation of any time in service on a new production aircraft, whichever occurs later—except that new production aircraft may be flown in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to a base where compliance may be accomplished: Install a self-contained, removable ashtray on or near the entry side of each lavatory door. One ashtray may serve more than one lavatory door if the ashtray can be seen readily from the cabin side of each lavatory door served.

(j) An airplane with multiple lavatory doors may be operated with up to 50 percent of the lavatory door ashtrays missing or inoperative, provided 50 percent of the

missing or inoperative ashtrays are replaced within 3 days and all remaining missing or inoperative ashtrays are replaced within 10 days. An airplane with only 1 lavatory door may be operated for a period of 10 days with the lavatory door ashtray missing or inoperative.

**Note 1:** This AD permits a lavatory door ashtray to be missing, although the FAA-approved Master Minimum Equipment List (MMEL) may not allow such provision. In any case, the provisions of this AD prevail.

(k) Within 30 days after August 6, 1974, and thereafter at intervals not to exceed 1,000 hours' time-in-service from the last inspections, accomplish the following:

(1) Inspect all lavatory paper and linen waste receptacle enclosure access doors and disposal doors for proper operation, fit, sealing, and latching for the containment of possible trash fires.

(2) Correct all defects found during the inspections required by paragraph (k)(1) of this AD.

(l) Upon the request of an operator, the FAA Principal Maintenance Inspector (PMI) may adjust the 1,000-hour repetitive inspection interval specified in paragraph (k) of this AD to permit compliance at an established inspection period of the operator if the request contains data to justify the requested change in the inspection interval.

#### Alternative Methods of Compliance (AMOCs)

(m)(1) The Manager, Airframe/Cabin Safety Branch, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Alan Sinclair, Aerospace Engineer, Airframe/Cabin Safety Branch, ANM-115, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2195; fax 425-227-1232.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your PMI or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

Issued in Renton, Washington, on September 30, 2010.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2010-25124 Filed 10-5-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**Docket No. FAA-2010-0784; Airspace**  
**Docket No. 10-AWP-5**

#### Proposed Modification of Class D and E Airspace, and Revocation of Class E Airspace; Flagstaff, AZ

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify Class D and E airspace at Flagstaff, AZ, to accommodate aircraft departing and arriving under Instrument Flight Rules (IFR) at Flagstaff Pulliam Airport. This action also would remove Class E airspace designated as an extension to a Class D or E surface area at Flagstaff Pulliam Airport. This action, initiated by the biennial review of the Flagstaff airspace area, would enhance the safety and management of aircraft operations at the airport.

**DATES:** Comments must be received on or before November 22, 2010.

**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-2010-0784; Airspace Docket No. 10-AWP-5, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4517.

#### 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

2010–0784 and Airspace Docket No. 10–AWP–5) 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–2010–0784 and Airspace Docket No. 10–AWP–5”. 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/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

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 Center, 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 D

airspace and Class E airspace extending upward from 700 feet above the surface to meet current standards for IFR departures and arrivals at Flagstaff Pulliam Airport, Flagstaff, AZ. This modification eliminates the need for Class E airspace designated as an extension to a Class D or E surface area, and, therefore, would be removed. This action was initiated by a biennial review of the airspace and is necessary for the safety and management of aircraft departing and arriving under IFR operations at the airport.

Class D and E airspace designations are published in paragraph 5000, 6004 and 6005, respectively, of FAA Order 7400.9U, dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR Part 71.1. The Class D and E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined 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 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.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority for 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 the 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 establishes additional controlled airspace at Flagstaff Pulliam Airport, Flagstaff, AZ.

#### 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 Part 71.1 of the FAA Order 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010, and effective September 15, 2010 is amended as follows:

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

##### AWP AZ D Flagstaff, AZ [Modified]

Flagstaff Pulliam Airport, AZ

(Lat. 35°08′25″ N., long. 111°40′09″ W.)

That airspace extending upward from the surface to and including 9,500 feet MSL within a 5-mile radius of Flagstaff Pulliam Airport beginning at lat. 35°13′28″ N., long. 111°37′59″ W., clockwise to lat. 35°07′20″ N., long. 111°46′14″ W., thence to the point of beginning; and that airspace 1.5 miles each side of the Flagstaff Pulliam Airport 127° bearing extending to 7 miles southeast of the Flagstaff Pulliam 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 6004 Class E airspace areas designated as an extension to Class D or Class E surface area.*

\* \* \* \* \*

##### AWP AZ E4 Flagstaff, AZ [Removed]

*Paragraph 6005 Class E airspace areas extending upward from 700 feet above the surface.*

\* \* \* \* \*

##### AWP AZ E5 Flagstaff, AZ [Modified]

Flagstaff Pulliam Airport, AZ

(Lat. 35°08′25″ N., long. 111°40′09″ W.)

That airspace extending upward from 700 feet above the surface beginning southwest of the Flagstaff Pulliam Airport at lat. 35°07′58″ N., long. 111°50′44″ W., clockwise along an 8.5 mile arc to lat. 35°16′04″ N., long. 111°36′7″ W., thence to lat. 35°08′25″ N., long. 111°14′50″ W., thence to lat. 35°08′25″ N., long. 111°14′50″ W., to lat. 34°54′20″ N.,

long. 111°26'11" W., to lat. 34°58'47" N.,  
 long. 111°37'17" W., to lat. 34°43'58" N.,  
 long. 111°50'21" W., to lat. 34°45'01" N.,  
 long. 112°01'17" W., to lat. 34°54'24" N.,  
 long. 112°05'16" W., to lat. 35°08'10" N.,  
 long. 111°51'59" W., thence to the point of  
 beginning. That airspace extending upward  
 from 1,200 feet above the surface bounded by  
 a line beginning at lat. 35°05'04" N., long.  
 112°27'43" W., to lat. 35°11'22" N., long.  
 110°52'43" W., thence clockwise along the 39  
 mile arc to the point of beginning, excluding  
 the Sedona, AZ, Class E airspace area.

Issued in Seattle, Washington, on  
 September 30, 2010.

**Lori Andriesen,**

*Acting Manager, Operations Support Group,  
 Western Service Center.*

[FR Doc. 2010-25200 Filed 10-5-10; 8:45 am]

**BILLING CODE 4910-13-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA-R09-OAR-2010-0680; FRL-9209-7]

#### State of California; Request for Approval of Section 112(l) Authority for Hazardous Air Pollutants; Perchloroethylene Air Emission Standards From Dry Cleaning Facilities

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve  
 California's Airborne Toxic Control  
 Measure for Emissions of  
 Perchloroethylene from Dry Cleaning  
 and Water-Repelling Operations,  
 Requirements for Perc Manufacturers,  
 and Requirements for Perc Distributors  
 to be implemented and enforced in  
 place of the National Perchloroethylene  
 Air Emission Standards for Dry  
 Cleaning Facilities. EPA is proposing  
 this action under section 112(l) of the  
 Clean Air Act (CAA). We are taking  
 comments on this proposal and plan to  
 follow with a final action.

**DATES:** Comments on California's  
 request for approval must be received  
 on or before November 5, 2010.

**ADDRESSES:** Submit comments,  
 identified by docket number EPA-R09-  
 OAR-2010-0680, concurrently to EPA  
 and the California Air Resources Board.  
 Comments submitted to the California  
 Air Resources Board should be mailed  
 to the address below:

Dan Donohoue, Chief, Emissions  
 Assessment Branch, Stationary Source  
 Division, California Air Resources  
 Board, 1001 "I" Street, P.O. Box 2815,  
 Sacramento, CA 95812.

Comments sent to EPA should be  
 submitted by one of the following  
 methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line  
 instructions.

2. *E-mail:* [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

3. *Mail or Deliver:* Andrew Steckel  
 (Air-4), U.S. Environmental Protection  
 Agency Region IX, 75 Hawthorne Street,  
 San Francisco, CA 94105-3901.

**Instructions:** All comments will be  
 included in the public docket without  
 change and may be made available  
 online at <http://www.regulations.gov>,  
 including any personal information  
 provided, unless the comment includes  
 Confidential Business Information (CBI)  
 or other information whose disclosure is  
 restricted by statute. Information that  
 you consider CBI or otherwise protected  
 should be clearly identified as such and  
 should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an "anonymous  
 access" system, and EPA will not know  
 your identity or contact information  
 unless you provide it in the body of  
 your comment. If you send e-mail  
 directly to EPA, your e-mail address  
 will be automatically captured and  
 included as part of the public comment.  
 If EPA cannot read your comment due  
 to technical difficulties and cannot  
 contact you for clarification, EPA may  
 not be able to consider your comment.

**Docket:** The index to the docket for  
 this action is available electronically at  
<http://www.regulations.gov> and in hard  
 copy at EPA Region IX, 75 Hawthorne  
 Street, San Francisco, California. While  
 all documents in the docket are listed in  
 the index, some information may be  
 publicly available only at the hard copy  
 location (e.g., copyrighted material), and  
 some may not be publicly available in  
 either location (e.g., CBI). To inspect the  
 hard copy materials, please schedule an  
 appointment during normal business  
 hours with the contact listed in the **FOR  
 FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Mae  
 Wang, EPA Region IX, (415) 947-4124,  
[wang.mae@epa.gov](mailto:wang.mae@epa.gov).

**SUPPLEMENTARY INFORMATION:**  
 Throughout this document, "we," "us"  
 and "our" refer to EPA.

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### I. Background

Under CAA section 112(l), EPA is  
 authorized to delegate to State agencies  
 the authority to implement and enforce  
 the National Emission Standards for  
 Hazardous Air Pollutants (NESHAPs).  
 The Federal regulations governing  
 EPA's approval of State rules or  
 programs under section 112(l) are  
 located at 40 CFR part 63, subpart E.  
 Under these regulations, a State has the  
 option to request EPA's approval to  
 substitute a State rule for the  
 comparable NESHAP. Under this "rule  
 substitution" option, EPA is required to  
 make a detailed and thorough  
 evaluation of the State's submittal to  
 ensure that it meets the stringency and  
 other requirements of 40 CFR 63.93.  
 Upon approval the State is given the  
 authority to implement and enforce its  
 rule in lieu of the NESHAP.

On September 22, 1993, EPA  
 promulgated the NESHAP for  
 perchloroethylene (perc) dry cleaning  
 facilities, which has been codified in 40  
 CFR part 63, subpart M, National  
 Perchloroethylene Air Emission  
 Standards for Dry Cleaning Facilities  
 (dry cleaning NESHAP) (see 58 FR  
 49354). On May 21, 1996, EPA approved  
 a request submitted by the California  
 Air Resources Board (CARB) for  
 approval to implement and enforce  
 California's Airborne Toxic Control  
 Measure for Emissions of  
 Perchloroethylene from Dry Cleaning  
 Operations (original dry cleaning  
 ATCM) in lieu of the dry cleaning  
 NESHAP (see 61 FR 25397).

On July 27, 2006, EPA amended the  
 dry cleaning NESHAP (see 71 FR  
 42743). In 2007, CARB revised  
 California's original dry cleaning  
 ATCM.

### II. California's Submittal

#### A. Amended Dry Cleaning ATCM

California's Airborne Toxic Control  
 Measure for Emissions of  
 Perchloroethylene from Dry Cleaning  
 and Water Repelling Operations,  
 Requirements for Perc Manufacturers,  
 and Requirements for Perc Distributors,  
 sections 93109, 93109.1, and 93109.2,  
 Title 17 of the California Code of  
 Regulations (amended dry cleaning  
 ATCM), became State law on December  
 27, 2007. On July 15, 2009, CARB  
 submitted a request to implement and  
 enforce the amended dry cleaning  
 ATCM in lieu of the dry cleaning  
 NESHAP and the previously approved  
 original dry cleaning ATCM. This  
 request was submitted pursuant to the