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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 33

[Docket No. FAA-2010-0398; Amendment No. 33-31]

RIN 2120-AJ62

Airworthiness Standards; Rotor Overspeed Requirements; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting an unintentional error in the preamble of the final rule, Airworthiness Standards; Rotor Overspeed Requirements, published on July 18, 2011 (76 FR 42020). The final rule established uniform rotor overspeed design and test requirements for aircraft engines and turbochargers certificated by the FAA and the European Aviation Safety Agency (EASA). This document corrects an error in the preamble.

DATES: Effective September 8, 2011.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this final rule, contact Tim Mouzakis, Engine and Propeller Directorate Standards Staff, ANE-111, Engine and Propeller Directorate, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7114; fax (781) 238-7199; e-mail timoleon.mouzakis@faa.gov. For legal questions concerning this final rule contact Vincent Bennett, ANE-7, Office of Regional Counsel, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7044; fax (781) 238-7055; e-mail vincent.bennett@faa.gov.

SUPPLEMENTARY INFORMATION

Background

On Monday, July 18, 2011, the FAA published a final rule entitled "Airworthiness Standards; Rotor Overspeed Requirements" (76 FR 42022). The final rule revised the aircraft turbine engine rotor overspeed type certification standards.

During the review process, we determined a portion of the section entitled "Total Estimated Benefits and Costs of this Proposed Rule" should be removed. We found that this section included a discussion of a comment that had already been fully discussed in the paragraph headed "Material Properties of Test Rotors". We are therefore eliminating discussion of this comment in the benefits and costs section of the preamble.

Correction to Preamble

1. On page 42022, third column, revise the first full paragraph of "Total Estimated Benefits and Costs of This Proposed Rule" to read as follows:

"Industry must currently certificate to the two standards that are substantively similar, but have a few slightly different testing and documentation procedures and requirements. The rule harmonizes these procedures and requirements to the higher standard and, thereby, may increase safety. In addition, by reducing the amount of duplicative testing that would need to be either witnessed or analyzed by the FAA, the FAA is better able to prioritize its resources to other, more safety critical areas. Consequently, we determined that unquantifiable future minimal benefits from the rule may also accrue. The FAA concludes that the combination of cost savings and potential increased safety benefits will make this rule cost beneficial. Further, we therefore determined that this rule is not a "significant regulatory action" as defined in section 3(f) of Executive Order 12866, and is not "significant" as defined in DOT'S Regulatory Policies and Procedures."

This correction ensures correct understanding of and FAA response to comments received. There are no changes to the existing regulatory text.

Issued in Washington, DC, on August 31, 2011.

Dennis R. Pratte,

Acting Director, Office of Rulemaking.

[FR Doc. 2011-23025 Filed 9-7-11; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2011-0087; Airspace Docket No. 11-ASO-12]

Amendment of Class D Airspace; Eglin AFB, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D Airspace in the Eglin Air Force Base (AFB), FL airspace area. The Destin Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approaches have been developed for Destin-Fort Walton Beach Airport that enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport.

This action also corrects the geographic coordinates of Eglin AFB, Duke Field, and Hulbert Field.

DATES: Effective 0901 UTC, October 20, 2011. 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: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

History

On July 1, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class D airspace in the Eglin AFB, FL area (76 FR 38580) Docket No. FAA-2011-0087. Subsequent to publication, the FAA found that the latitude coordinates for Eglin AFB were not rounded up. This rule makes that correction. Also, this action adjusts the geographic coordinates for Duke Field and Hurlburt Field. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received supporting this action. Class D airspace designations are published in

paragraph 5000 of FAA Order 7400.9U dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designations listed in this document will be published subsequently in the Order. With the exception of editorial changes, and the changes described above, this rule is the same as that proposed in the NPRM.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends the Class D airspace in the Eglin AFB, FL area to accommodate new standard instrument approach procedures developed for Destin-Fort Walton Beach Airport. The Destin NDB has been decommissioned, and the NDB approach cancelled. The existing Class D airspace extending upward from the surface is being modified for the safety and management of IFR operations. This action also rounds up the latitude coordinates of Eglin AFB from 'lat. 30°28.59'59" N. to 30°29'00" N., and adjusts the geographic coordinates of Duke Field and Hurlburt Field to be in concert with the FAA's aeronautical database.

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, is non-controversial and unlikely to result in adverse or negative comments. 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 amends controlled airspace in the Eglin AFB, FL area.

Lists 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 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010, effective September 15, 2010, is amended as follows:

Paragraph 5000 Class D airspace.

* * * * *

ASO FL D Eglin Air Force Base, FL [Amended]

Eglin Air Force Base, FL
(Lat. 30°29'00" N., long. 86°31'34" W.)
Destin-Fort Walton Beach Airport
(Lat. 30°24'00" N., long. 86°28'17" W.)
Duke Field
(Lat. 30°39'01" N., long. 86°31'22" W.)
Hurlburt Field
(Lat. 30°25'44" N., long. 86°41'22" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 5.5-mile radius of Eglin AFB, and within a 4.4-mile radius of Destin-Fort Walton Beach Airport, excluding the portion north of a line connecting the 2 points of intersection within a 5.2-mile radius centered on Duke Field; excluding the portion southwest of a line connecting the 2 points of intersection within a 5.3-mile radius of Hurlburt Field; excluding a portion east of a line beginning at lat. 30°30'43" N., long. 86°26'21" W. extending east to the 5.5-mile radius of Eglin AFB.

Issued in College Park, Georgia, on August 29, 2011.

Barry A. Knight,

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

[FR Doc. 2011–22876 Filed 9–7–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2010–1330; Airspace Docket No. 10–ASO–41]

Amendment of Class E Airspace; Rutherfordton, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace at Rutherfordton, NC. The Rutherford Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approach Procedures have been developed for Rutherford County-Marchman Field. This action also updates the geographic coordinates of the airport and changes the airport name. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport.

DATES: Effective 0901 UTC, October 20, 2011. 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: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

History

On June 1, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace 700 feet above the surface, at Rutherfordton, NC (76 FR 31510) Docket No. FAA–2010–1330. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9U dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace extending