

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96-ASO-26]

Removal of Class E5 Airspace; Hemingway, SC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment removes Class E5 airspace at Hemingway, SC. There are no longer any Instrument Approach Procedures (IAP's) at the Hemingway-Stuckey Airport. Therefore, there is no longer a requirement for Class E5 airspace for the airport.

EFFECTIVE DATE: 0901 UTC, January 30, 1997.

FOR FURTHER INFORMATION CONTACT: Benny L. McGlamery, Operations Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

SUPPLEMENTARY INFORMATION:

History

There are no longer any IAP's at the Hemingway-Stuckey Airport. Consequently, the airport no longer meets the criteria for Class E5 airspace. This action will eliminate the impact that Class E5 airspace has placed on users of the airspace in the vicinity of the airport. This rule will become effective on the date specified in the **DATES** section. Since this action removes the Class E5 airspace, which eliminates the impact of Class E5 airspace on users of the airspace in the vicinity of the Hemingway-Stuckey Airport, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) removes Class E5 airspace at Hemingway, SC. There are no longer any IAP's at the Hemingway-Stuckey Airport. Therefore, there is no longer a requirement for Class E5 airspace for the airport.

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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

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ASO SC E5 Hemingway, SC [Removed]

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Issued in College Park, Georgia, on October 31, 1996.

Benny L. McGlamery,
Acting Manager, Air Traffic Division Southern Region.

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14 CFR Part 71

[Airspace Docket No. 96-ASO-14]

Amendment to Class E2 Airspace; London, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies the Class E2 airspace area at London, KY. An automated weather observing system has been installed at the London-Corbin Airport-Magee Field. This system transmits the required weather observations continuously to the

Indianapolis Air Route Traffic Control Center, which is the controlling facility for the airport. Therefore, the Class E2 surface area is amended from part time to continuous.

EFFECTIVE DATE: 0901 UTC, January 30, 1997.

FOR FURTHER INFORMATION CONTACT: Benny L. McGlamery, Operations Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

SUPPLEMENTARY INFORMATION:

History

On July 10, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by modifying Class E airspace at London, KY (61 FR 36313). This action would provide adequate Class E2 airspace for IFR operations at the London-Corbin Airport-Magee Field.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. One letter objecting to the proposal was received. The commenter questioned the need for controlled airspace in the absence of air carrier operations, the reliability of the automated weather observing system, the certification date, and other airports with automated weather observing systems and communications with air traffic control. Controlled airspace does not exist as a result of air carrier operations, but rather to accommodate instrument procedures at an airport. The automated weather observing system operating at London, KY, is an Automated Surface Observation System (ASOS), not an Automated Weather Observation System (AWOS) as the commenter stated. The ASOS is the official certified government system, while the AWOS is not. The ASOS was commissioned as an "operational" system at London, KY, on September 18, 1996, and is maintained by dedicated National Weather Service (NWS) technicians, who are on call and operate in accordance with strict time parameters. Other airports that meet the FAA requirements for weather observations and reporting, as well as communications are being, or will be, processed for appropriate airspace action. Class E airspace areas designated as a surface area for an airport are published in Paragraph 6002 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.