

Issued in Des Plaines, Illinois on November 13, 1996.
 Maureen Woods,
Manager, Air Traffic Division.
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14 CFR Part 71
[Airspace Docket No. 96-AGL-14]

**Establishment of Class E Airspace;
 Tomahawk, WI**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Tomahawk Regional Airport, Tomahawk, WI, to accommodate a Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME-A). Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

EFFECTIVE DATE: 0901 UTC, December 5, 1996.

FOR FURTHER INFORMATION CONTACT:
 John A. Clayborn, Air Traffic Division, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

SUPPLEMENTARY INFORMATION:

History

On September 17, 1996, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish the Class E at Tomahawk Regional Airport, Tomahawk, WI (61 FR 48868). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace designations for airspace areas extending upward from 200 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996.

and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.7. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Tomahawk Regional Airport, Tomahawk, WI, to accommodate a Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME-A). Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures.

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. Therefore, this 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 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; E.O. 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 the 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 The Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AGL WI E5 Tomahawk, WI [New]

**Tomahawk Regional Airport, WI
 (Lat. 45°28'10"N., long. 89°48'16"S.)**

That airspace extending upward from 700 feet above the surface within a 6.4 mile radius of Tomahawk Regional Airport.

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Coast Guard

33 CFR Part 157

[CGD 91-045]

RIN 2115-AE01

Operational Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls; Partial Suspension of Regulation

AGENCY: Coast Guard, DOT.

ACTION: Final rule; partial suspension of regulation with request for comments.

SUMMARY: On July 30, 1996, the Coast Guard published a final rule requiring the owners, master, or operators of tank vessels of 5,000 gross tons or more that do not have double hulls and that carry oil in bulk as cargo to comply with certain operational measures. This final rule included a provision requiring owner notification of the vessel's calculated under-keel clearance which is scheduled to go into effect on November 27, 1996. Following issuance of the final rule, the Coast Guard received comments expressing concern on how the owner notification portion of the under-keel clearance provision will be implemented and seeking an additional comment period before the provision is fully enforced. Because the Coast Guard is still developing its own internal guidance on acceptable forms of owner notification and because the public has concerns about how this provision will be implemented, the Coast Guard is suspending the effective date of the owner notification part of this final rule. The Coast Guard requests comments on the under-keel clearance provision.

DATES: 33 CFR 157.455(a) (5) and (6) scheduled to become effective on November 27, 1996, in the final rule published at 61 FR 39770, July 30, 1996,