

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Airspace Docket No. 96-ASW-22]

**Revision of Class E Airspace; Perry, OK**

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

**ACTION:** Final rule.

**SUMMARY:** This action revises the Class E airspace extending upward from 700 feet above ground level (AGL) at Perry, OK. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 17 at Perry Municipal Airport has made this action necessary. This action is intended to provide adequate Class E airspace to contain instrument flight rule (IFR) operations for aircraft executing the GPS SIAP to RWY 17 at Perry Municipal Airport, Perry, OK.

**EFFECTIVE DATE:** 0901 UTC, September 11, 1997.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

**SUPPLEMENTARY INFORMATION:**

**History**

On February 20, 1997, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace at Perry, OK, was published in the **Federal Register** (62 FR 7734). A GPS SIAP to RWY 17 developed for Perry Municipal Airport, Perry, OK, requires the revision of the Class E airspace at this airport. The proposal was to revise the controlled airspace extending upward from 700 feet AGL to contain IFR operations in controlled airspace during portions of the terminal operation and while transitioning 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 to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designations for airspace areas extending upward from 700 feet or more AGL 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 71.1. 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) amends the Class E airspace located at Perry, OK, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing the GPS SIAP to RWY 17.

The FAA has determined that this regulation only involves an established body of technical regulations that need frequent and routine amendments 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. 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 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: Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**ASW OK E5 Perry, OK [Revised]**

Perry Municipal Airport, OK  
(Lat. 36°23'08" N., long. 97°16'38" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Perry Municipal Airport and within 2 miles each side of the 359° bearing from the airport extending from the 6.5-mile radius to 10.5 miles north of the airport.

\* \* \* \* \*

Issued in Fort Worth, TX, on June 23, 1997.

**Albert L. Viselli,**

*Acting Manager, Air Traffic Division, Southwest Region.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 52 and 81**

[UT15-1-6775, UT12-2-6728, UT16-1-6776; FRL-5856-8]

**Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Salt Lake and Davis Counties Ozone Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, Approval of Related Elements, Approval of Partial NO<sub>x</sub> RACT Exemption, and Approval of Weber County I/M Program**

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

**ACTION:** Final rule.

**SUMMARY:** On May 23, 1997, EPA published a notice of proposed rulemaking (NPR) that proposed to approve the State of Utah's request to redesignate the Salt Lake and Davis Counties (SLDC) moderate ozone nonattainment area to attainment. In that NPR, EPA also proposed to approve the maintenance plan for the SLDC area, and the following related State Implementation Plan (SIP) elements: the 1990 base year emissions inventory, Reasonably Available Control Technology (RACT) for Volatile Organic Compounds (VOC), Nitrogen Oxides (NO<sub>x</sub>) RACT for Kennecott's Utah Power Plant and for the Pacificorp Gadsby Power Plant, and the Basic Inspection and Maintenance (I/M) and Improved I/M provisions for Salt Lake and Davis Counties. EPA also proposed to approve a partial NO<sub>x</sub> RACT exemption request. In this final rulemaking, EPA is approving the redesignation request, the maintenance plan, the various related SIP elements, and the partial NO<sub>x</sub> RACT exemption request. In the May 23, 1997, NPR, EPA also proposed to give limited approval to the State's generic VOC RACT and generic NO<sub>x</sub> RACT rules and to approve the I/M provisions for Weber County. In this rulemaking, EPA is giving limited