

Issued in Washington, DC on September 30, 1998.

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Assistant Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AAL-6]

RIN 2120-AA66

Realignment of Colored Federal Airway; AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Colored Federal Airway Amber 4 (A-4) and revokes Colored Federal Airway Amber 6 (A-6) due to the decommissioning and subsequent removal of the Umiat Nondirectional Radio Beacon (NDB), AK, from the National Airspace System (NAS).

EFFECTIVE DATE: 0901 UTC, December 3, 1998.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Background

On June 5, 1998, the FAA proposed to amend 14 CFR part 71 (part 71) to modify Colored Federal Airway A-4 and revoke Colored Federal Airway A-6 due to the decommissioning and subsequent removal of the Umiat NDB (63 FR 30666). Interested parties were invited to participate in this rulemaking by submitting written comments on the proposal to the FAA. One comment objecting to the proposal was received from the Cape Smythe Air Service Safety Officer, opposing the swiftness of the FAA action to decommission the Umiat NDB and the subsequent loss of an instrument flight rules (IFR) alternate airport.

The FAA does not agree with this comment for the following reasons: (1) there is no standard instrument approach procedure supporting Umiat Airport; (2) this airport does not meet the requirements to be used as an IFR alternate airport; (3) the airport weather information is unavailable; and (4)

lighting at the airport is nonoperational. Airport operations at Umiat do not justify the cost of maintaining the Umiat NDB.

Except for editorial changes this amendment is the same as that proposed in the notice.

The Rule

The FAA is amending 14 CFR part 71 to modify Colored Federal Airway A-4 by removing that portion of the airway that extends beyond the Anaktuvuk, NDB, AK, and revoking Colored Federal Airway A-6. The FAA is taking this action due to the decommissioning and subsequent removal of the Umiat, NDB, AK, from the NAS.

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

Colored Federal airways are published in paragraph 6009 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The colored Federal airway listed in this document will be published subsequently in the Order.

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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 6009(c)—Amber Federal Airways

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A-4 [Revised]

From Evansville, NDB, AK to Anaktuvuk Pass, NDB, AK.

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A-6 [Revoked]

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Issued in Washington, DC, on September 29, 1998.

Reginald C. Matthews,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 98-26599 Filed 10-2-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 97-ASO-9]

RIN 2120-AA66

Amendment to Time of Designation for Restricted Area R-2908, Pensacola, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the time of designation for Restricted Area R-2908 (R-2908) by reducing the published time frame for routine activation of the area. A special use airspace utilization review conducted by the FAA determined that the user no longer requires regular use of the restricted area on a year-round basis. The amended time of designation more accurately reflects the user's current requirements.

EFFECTIVE DATE: 0901 UTC, December 3, 1998.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Background

Restricted Area R-2908 is currently designated for daily use, 12 months of