

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 98-ANE-95]

**Amendment to Class E Airspace;  
Rockland, ME****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action revises the Class E airspace area at Rockland, ME (KRKD) due to the relocation of the Sprucehead Non-Directional Beacon (NDB) and to provide adequate controlled airspace for two new standard instrument approaches to the Rockland, Knox County Regional Airport.

**DATES:** Effective 0901 UTC, January 28, 1999.

Comments for inclusion in the Rules Docket must be received on or before January 25, 1999.

**ADDRESSES:** Send comments on the rule to: Manager, Airspace Branch, ANE-520, Federal Aviation Administration, Docket No. 98-ANE-95, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7520; fax (781) 238-7596. Comments may also be sent electronically via the internet to the following address: "9-ne-airspace@faa.gov"

The official docket file may be examined in the Office of the Regional Counsel, New England Region, ANE-7, Room 401, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7050; fax (781) 238-7055.

An informal docket may also be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, Operations Branch at the first address listed above.

**FOR FURTHER INFORMATION CONTACT:**

David T. Bayley, Air Traffic Division, Airspace Branch, ANE-520.3, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7523; fax (781) 238-7596.

**SUPPLEMENTARY INFORMATION:**

This action revised the Class E airspace in the vicinity of the Rockland, Knox County Regional Airport, Rockland, Maine. This action is prompted by the relocation of the Sprucehead Non-Directional Beacon (NDB) and by the addition of two new standard instrument approach procedures based on the new location of the NDB, the R/W 3 and R/W 31 NDB

approaches. The NDB will be located north of its former location, and closer to the airport. The effect of these revisions will be to eliminate the extension of controlled airspace south-southwest of the airport, but expand slightly the basic radius of controlled airspace in the vicinity of the airport. Class E airspace designations for airspace areas extending upward from 700 feet above the surface of the earth are published in paragraph 6005 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 Class E airspace designation listed in this document will be published subsequently in this Order.

**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment, and, therefore, issues it as a direct final rule. 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. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

**Comments Invited**

Although this action is in the form of a direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the

commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-ANE-95." The postcard will be date stamped and returned to the commenter.

**Agency Findings**

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as these routine matters will only affect air traffic procedures and air navigation. It is certified that these proposed rules will not have 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**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71

of the Federal Aviation Regulations (14 CFR part 71) as follows:

**PART 71—[Amended]**

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.

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Subpart E—Class E Airspace

\* \* \* \* \*

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

\* \* \* \* \*

**ANE ME E5 Rockland, ME [Revised]**

Rockland, Knox County Regional Airport, ME (Lat. 44°03'37" N, long. 69°05'59" W) Sprucehead NDB

(Lat. 44°03'01" N, long. 69°06'18" W)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Knox County Regional Airport.

\* \* \* \* \*

Issued in Burlington, MA, on December 11, 1998.

**Bill G. Peacock,**

*Manager, Air Traffic Division, New England Region.*

[FR Doc. 98–34166 Filed 12–23–98; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Airspace Docket No. 95–AWP–6]

**RIN 2120–AA66**

**Modification of VOR Federal Airway V–485; San Jose, CA; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** On September 15, 1998, the FAA published a final rule in the **Federal Register** that amended Federal airway V–485. On December 11, 1998, the FAA published a correction to the legal description of V–485. In that correction, the airway legal description contained an inadvertent error. This action corrects that error.

**EFFECTIVE DATE:** December 24, 1998.

**FOR FURTHER INFORMATION CONTACT:** William C. Nelson, 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:** On December 11, 1998, the FAA published in the **Federal Register** a correction to the bearings of the Priest Intersection (INT) along V–485 (63 FR 68391). This correction was based on calculations from inaccurate magnetic bearings which, in turn, made the true bearings in error by one degree for the Priest radial, and six degrees for the San Jose radial. This action corrects that error.

**Correction to Final Rule**

Accordingly, pursuant to the authority delegated to me, the final rule amending V–485, published in the **Federal Register** (Document No. 98–24710) on September 15, 1998 (63 FR 49284); and corrected (Document No. 98–32729) on December 11, 1998 (63 FR 63891); and incorporated by reference in 14 CFR 71.1, is corrected as follows:

**§71.1 [Corrected]**

On page 49284, in the third column, the description of V–485 is corrected to read as follows:

\* \* \* \* \*

**V–485 [Corrected]**

From Ventura, CA; Fellows, CA; Priest, CA; INT Priest 322° and San Jose, CA, 137° radials; San Jose. The airspace within W–289 and R–2519 more than 3 statute miles west of the airway centerline and the airspace within R–2519 below 5,000 feet MSL is excluded.

\* \* \* \* \*

Issued in Washington, DC, on December 17, 1998.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic Airspace Management.*

[FR Doc. 98–34058 Filed 12–23–98; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

[CGD 05–98–106]

**RIN 2115–AE46**

**Special Local Regulations for Marine Events; Cape Fear River, Wilmington, North Carolina**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** Temporary special local regulations are being adopted for the

marine event “Countdown on the Cape Fear,” a fireworks display to be held on the waters of the Cape Fear River, Wilmington, North Carolina. These special local regulations are necessary to control vessel traffic in the immediate vicinity of this event. The effect will be to restrict general navigation in the regulated area for the safety of spectators, and transiting vessels.

**EFFECTIVE DATE:** This regulation is effective from 11:30 p.m. on December 31, 1998 to 12:30 a.m. on January 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Petty Officer Matheny, Marine Events Coordinator, Commander, Coast Guard Group Fort Macon, Atlantic Beach, North Carolina 28512–0237, telephone number (252) 247–2570.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impractical. The request to hold this event was not received until November 20, 1998. Publishing a notice of proposed rulemaking and delaying its effective date would be contrary to safety interests, since immediate action is needed to minimize potential danger to spectator craft and other vessel traffic transiting the event area.

**Background and Purpose**

On December 31, 1998, the City of Wilmington will sponsor the “Countdown on the Cape Fear.” The event will consist of a fireworks display fired from the USS North Carolina on the waters of the Cape Fear River, Wilmington, North Carolina. These temporary special local regulations are necessary to provide for the safety of life and property on navigable waters during the event.

**Discussion of Regulations**

The Coast Guard will establish temporary special local regulations on specified waters of the Cape Fear River. The regulated area will be approximately 800 yards long centered along the position of the USS North Carolina Memorial. The temporary special local regulations will be effective from 11:30 p.m. on December 31, 1998 to 12:30 a.m. on January 1, 1999, and will restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol