

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of a direct final rule which revises Class E airspace at Belle Plaine, IA.

**DATES:** The direct final rule published at 64 FR 3009 is effective on 0901 UTC, May 20, 1999.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone: (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on January 20, 1999 (64 FR 3009). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on May 20, 1999. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on March 5, 1999.

**Herman J. Lyons, Jr.,**  
Manager, Air Traffic Division Central Region.  
[FR Doc. 99-7458 Filed 3-25-99; 8:45 am]  
BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-AGL-72]

#### Modification of Class E Airspace; Napoleon, OH

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Napoleon, OH. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP), 186° helicopter point in space approach, has been developed for Henry County Hospital Heliport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to

contain aircraft executing the approach. This action modifies existing controlled airspace for Napoleon, OH, in order to include the point in space approach serving Henry County Hospital Heliport.  
**EFFECTIVE DATE:** 0901 UTC, May 20, 1999.

**FOR FURTHER INFORMATION CONTACT:** Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### History

On Monday, January 11, 1999, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Napoleon, OH (64 FR 1561). 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 700 feet or more 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 the Order.

##### The Rule

This amendment to 14 CFR part 71 modifies Class E airspace at Napoleon, OH, to accommodate aircraft executing the proposed GPS SIAP 186° helicopter point in space approach for Henry County Hospital Heliport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing this approach. The area will be depicted on appropriate aeronautical charts.

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—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 95665, 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 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

##### AGL OH E5 Napoleon, OH [Revised]

Napoleon, Henry Count Airport, OH  
(Lat. 41°22'27" N., long. 84°04'05" W)  
Henry County Hospital, OH  
Point in Space Coordinates  
(Lat. 41°25'08" N., long. 84°04'05" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Henry County Airport, and within a 6.0-mile radius of the Point in Space serving Henry County Hospital, excluding the airspace within the Toledo, OH, Class E airspace area.

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Issued in Des Plaines, Illinois on March 16, 1999.

**John A. Clayborn,**

Acting Manager, Air Traffic Division.

[FR Doc. 99-7455 Filed 3-25-99; 8:45 am]

BILLING CODE 4910-13-M