

Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on September 13, 1999 (64 FR 49373). 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 December 30, 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 November 18, 1999.

**Richard L. Day,**

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

[FR Doc. 99-31521 Filed 12-3-99; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ANE-91]

#### Establishment of Class E Airspace; Burlington, VT

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action establishes a Class E airspace area at Burlington, VT (KBTV) to provide for controlled airspace for those aircraft executing instrument approaches to the Burlington International Airport at times when the Burlington Air Traffic Control Tower is closed. This Class E airspace area will be effective during the specific dates and times established by Notice to Airmen, and thereafter published in the Airport/Facility Directory.

**DATES:** Effective 0901 UTC, February 24, 2000.

Comments for inclusion in the Rules Docket must be received on or before January 5, 2000.

**ADDRESSES:** Send comments on the rule to: Manager, Airspace Branch, ANE-

520, Federal Aviation Administration, Docket No. 99-ANE-91, 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-ane-airspace@faa.gov"

The official docket file may be examined from 8:00 a.m. to 4:30 p.m. Monday through Friday, except Federal holidays, 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) 238-7049; 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, Airspace Branch at the first address listed above.

**FOR FURTHER INFORMATION CONTACT:**

David T. Bayley, Air Traffic Division, Airspace Branch, ANE-520.7, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7586; fax (781) 238-7596.

**SUPPLEMENTARY INFORMATION:** The airspace in the vicinity of the Burlington International Airport, Burlington, VT (KBTV) currently falls within the Burlington Class C airspace area. That Class C area provides controlled airspace within, among other areas, a 5-mile radius of the Burlington International Airport from the surface to 4,400 feet above sea level. The Burlington Class C area currently operates continuously, as does the Burlington Airport Traffic Control Tower (ATCT). Once the Burlington ATCT changes its operating hours, the Burlington Class C area will not provide adequate controlled airspace in the vicinity of the airport during those hours when the Burlington ATCT is closed. This action establishes a Class E airspace area at Burlington, VT to provide controlled airspace from the surface with a 5-mile radius of the Burlington International Airport for those aircraft executing instrument approaches to Burlington at times when the Burlington ATCT is closed. This Class E airspace area will be effective during the specific dates and times established by Notice to Airmen, and thereafter published in the Airport/Facility Directory. Class E airspace designations for airspace area extending upward from the surface of the earth are published in paragraph 6002 of FAA Order 7400.9G, dated September 1, 1999, and effective September 16, 1999, 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 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 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. 99-ANE-91." The postcard will be date stamped and returned to the commenter.

### Agency Findings

This rule does not have federalism implications, as defined in Executive Order No. 13132, because it does not have a substantial direct effect 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this rule.

The FAA has determined that this regulation is non-controversial 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 a "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 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

### Subpart E—Class E Airspace

\* \* \* \* \*

*Paragraph 6002 Class E airspace areas designated as extending upward from the surface of the earth*

\* \* \* \* \*

**ANE VT E2 Burlington, VT** [New]  
Burlington International Airport, VT  
(Lat. 44°28'17" N, long. 73°09'10" W)

Within a 5-mile radius of Burlington International Airport. This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory

\* \* \* \* \*

Issued in Burlington, MA, on November 18, 1999.

**Arthur E. Gumtau,**

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

[FR Doc. 99-31518 Filed 12-3-99; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ACE-48]

#### Amendment to Class E Airspace; Hutchinson, KS

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends the Class E airspace area at Hutchinson Municipal Airport, Hutchinson, KS. The FAA has developed Global Positioning System (GPS) Runway (RWY) 3, GPS RWY 13, GPS RWY 21, and GPS RWY 31 Standard Instrument Approach Procedures (SIAPs) to serve Hutchinson Municipal Airport, KS. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate these SIAPs and for Instrument Flight Rules (IFR) operations at this airport. The enlarged area will contain the new GPS RWY 3, GPS RWY 13, GPS RWY 21, and GPS RWY 31 SIAPs in controlled airspace.

In addition, the Hutchinson Instrument Landing System (ILS) and coordinates have been added to the text header.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing GPS RWY 3, GPS RWY 13, GPS RWY 21, and GPS RWY 31 SIAPs, include the Hutchinson ILS and coordinates, and to segregate

aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

**DATES:** This final rule is effective on 0901 UTC, April 20, 2000.

Comments for inclusion in the Rules Docket must be received on or before January 30, 2000.

**ADDRESSES:** Send comments regarding the rule in triplicate to: Manager, Airspace Branch, Air Traffic Division, ACE-520, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 99-ACE-48, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

**SUPPLEMENTARY INFORMATION:** The FAA has developed GPS RWY 3, GPS RWY 13, GPW RWY 21, and GPS RWY 31 SIAPs to serve the Hutchinson Memorial Airport, KS. The amendment to Class E airspace at Hutchinson, KS, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAPs within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules. The amendment at Hutchinson Municipal Airport, KS, will provide additional controlled airspace for aircraft operating under IFR. The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9G, dated September 10, 1999, and effective September 16, 1999, 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 Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in