

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

[Docket No. FAA-2003-16225; Airspace Docket No. 03-AGL-18]

**Modification of Class E Airspace; Ashtabula, OH**

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Ashtabula, OH. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) 282° helicopter point in space approach has been developed for Ashtabula County Medical Center, Ashtabula, OH. Controlled airspace extending upward from 700 feet above the surface of the earth is needed to contain aircraft executing this approach. This action increases the radius of the existing controlled airspace for Ashtabula County Airport.

**EFFECTIVE DATE:** 0901 UTC, August 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Patricia A. Graham, 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 Wednesday, January 14, 2004, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Ashtabula, OH (69 FR 2090). The proposal was to modify controlled airspace extending upward from 700 feet above the surface of the earth 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 areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005, of FAA Order 7400.9L dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations 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 Ashtabula, OH, to accommodate aircraft executing instrument flight procedures into and out of Ashtabula County Medical Center. 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 proposed 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 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 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

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

\* \* \* \* \*

**AGL OH E5 Ashtabula, OH [Revised]**

Ashtabula County Airport, IN  
(Lat. 41°46'41" N., long. 80°41'44" W.)

**Ashtabula, Ashtabula County Medical Center, OH**

Point in Space Coordinates  
(Lat. 41°52'47" N., long. 80°46'42" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Ashtabula County Airport, and within a 6-mile radius of the Point in Space serving Ashtabula County Medical Center.

Issued in Des Plaines, Illinois, on May 19, 2004.

**Nancy B. Shelton,**

*Manager, Air Traffic Division, Great Lakes Region.*

[FR Doc. 04-12976 Filed 6-8-04; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 73**

[Docket No. FAA-2004-17772; Airspace Docket No. 04-AEA-05]

**RIN 2120-AA66**

**Amendment to Restricted Area 6604 (R-6604); Chincoteague Inlet, VA**

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Restricted Area 6604 (R-6604), Chincoteague Inlet, VA, by subdividing the airspace into two separate areas (R-6604A and R-6604B). This will not affect the outer boundary of restricted airspace. The FAA is taking this action to enhance the management of air traffic operations along major East Coast Federal airways and jet routes.

**DATES:** *Effective Date:* 0901 UTC, August 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules, Office of System Operations and Safety, ATO-R, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8783.

**SUPPLEMENTARY INFORMATION****Background**

In its current configuration, R-6604 infringes on the protected airspace for the segments of Jet Routes 121 and 124 (J-121 and J-124), and VOR Federal Airway 139 (V-139), that extend between the Snow Hill, MD, very high frequency omnidirectional range/tactical air navigation aid (VORTAC) and the Norfolk, VA, VORTAC. When R-6604 is active, the FAA must reroute aircraft off of those segments in order to avoid the restricted airspace. During

periods of high traffic demand or severe weather, this situation contributes to increased controller workload and air traffic delays.

As a result of discussions between the FAA and the National Aeronautics and Space Administration (NASA), the using agency for R-6604, it was determined that certain NASA missions do not require use of the entire restricted area as it is currently charted. The FAA and NASA have agreed to internally subdivide R-6604 into two areas which can be activated independently based on NASA's mission requirements. Subdividing the airspace in this manner will allow NASA to release, for FAA use, the part of the restricted area that conflicts with the above routes (subject to NASA mission requirements). This would permit aircraft to continue flight along J-121, J-124, or V-139, reducing both controller workload and air traffic congestion.

#### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 73 (part 73) by subdividing R-6604 into two separate areas within the current outer boundaries of existing restricted airspace. The subdivided areas will be designated as R-6604A and R-6604B. This subdivision will not change the external boundaries, altitudes, time of designation, or activities conducted within the restricted area.

These changes will enhance the management of air traffic operations along heavily traveled East Coast air traffic routes. Therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Section 73.66 of part 73 was republished in FAA Order 7400.8L, dated October 7, 2003.

This regulation is limited to 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. It has been determined that 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.

#### Environmental Review

This action is a minor administrative change to internally subdivide an existing restricted area. There are no changes to air traffic procedures or routes as a result of this action. Therefore, this action is not subject to environmental assessments and procedures in accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act of 1969.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

#### § 73.66 [Amended]

■ 2. § 73.66 is amended as follows:

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#### R-6604 Chincoteague Inlet, VA [Revoked]

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#### R-6604A Chincoteague Inlet, VA [Added]

**Boundaries.** Beginning at lat. 37°55'25" N., long. 75°24'54" W.; to lat. 37°51'30" N., long. 75°17'14" W.; then along a line 3 NM from and parallel to the shoreline to lat. 37°38'45" N., long. 75°31'19" W.; to lat. 37°47'00" N., long. 75°31'18" W.; to lat. 37°51'00" N., long. 75°29'36" W.; to the point of beginning.  
**Designated altitudes.** Unlimited.  
**Time of designation.** Continuous.  
**Controlling agency.** FAA, Washington ARTCC.

*Using agency.* Chief, Wallops Station, National Aeronautics and Space Administration, Wallops Island, VA.

#### R-6604B Chincoteague Inlet, VA [Added]

**Boundaries.** Beginning at lat. 37°56'45" N., long. 75°27'29" W.; to lat. 37°55'25" N., long. 75°24'54" W.; to lat. 37°51'00" N., long. 75°29'36" W.; to lat. 37°47'00" N., long. 75°31'18" W.; to 37°50'24" N., long. 75°31'19" W.; to the point of beginning.  
**Designated altitudes.** Unlimited.  
**Time of designation.** Continuous.  
**Controlling agency.** FAA, Washington ARTCC.

*Using agency.* Chief, Wallops Station, National Aeronautics and Space Administration, Wallops Island, VA.

\* \* \* \* \*

Issued in Washington, DC, on May 27, 2004.

**Paul Gallant,**

*Acting Manager, Airspace and Rules, ATO-R.*

[FR Doc. 04-12968 Filed 6-8-04; 8:45 am]

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## RAILROAD RETIREMENT BOARD

### 20 CFR Part 321

#### RIN 3220-AB57

### Electronic Filing of Applications and Claims for Benefits Under the Railroad Unemployment Insurance Act

**AGENCY:** Railroad Retirement Board.

**ACTION:** Final rule.

**SUMMARY:** The Railroad Retirement Board (Board) amends its regulations to permit the filing of applications and claims for benefits under the Railroad Unemployment Insurance Act via the Internet electronically. The Government Paperwork Elimination Act provides that Federal agencies are required to provide "for the option of the electronic maintenance, submission, or disclosure of information, when practicable as a substitute for paper". The new part will permit the filing of applications and claims for benefits under the Railroad Unemployment Insurance Act via the Internet electronically.

**DATES:** Effective Date: This rule is effective June 9, 2004.

**ADDRESSES:** Comments, if any, may be addressed to Beatrice Ezerski, Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

**FOR FURTHER INFORMATION CONTACT:** Marguerite P. Dadabo, Assistant General Counsel, (312) 751-4945, TTD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** This amendment adds a new part 321 to the Board's regulations (20 CFR part 321) to permit the filing of applications and claims for benefits under the Railroad Unemployment Insurance Act via the Internet electronically. The Government Paperwork Elimination Act, Public Law 105-277, sections 1701-1710 (codified as a note after 44 U.S.C. 3504) provides that Federal agencies are required to provide "for the option of the electronic maintenance, submission, or disclosure of information, when practicable as a substitute for paper".