

Airport and by revising the Independence Municipal Airport ARP used in the Class E airspace legal description. 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.

### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace designated as a surface area for an airport at Independence, KS. Controlled airspace extending upward from the surface of the earth is needed to contain aircraft executing instrument approach procedures to Independence Municipal Airport. Weather observations will be provided by an Automatic Weather Observing/Reporting System (AWOS) and communications will be direct with Kansas City Air Route Traffic Control Center.

This rule also revises the Class E airspace area extending upward from 700 feet above the surface at Independence, KS. An examination of this Class E airspace area revealed it does not comply with airspace requirements for diverse departures from Independence Municipal Airport as set forth in FAA Order 7400.2E, Procedures for Handling Airspace Matters. The examination also revealed discrepancies in the Independence Municipal Airport ARP used in the airspace legal description. This action corrects these anomalies. The areas will be depicted on appropriate aeronautical charts.

Class E airspace areas designated as surface areas are published in Paragraph 6002 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of the same Order. The Class E airspace designations listed in this document will be published subsequently in the Order.

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.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Independence Municipal Airport.

### 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 Federal Aviation Administration Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

#### ACE KS E2 Independence, KS

Independence Municipal Airport, KS  
(Lat. 37°09'30" N., long. 95°46'42" W.)

Within a 4.6-mile radius of Independence Municipal Airport.

\* \* \* \* \*

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

\* \* \* \* \*

#### ACE KS E5 Independence, KS

Independence Municipal Airport, KS  
(Lat. 37°09'30" N., long. 95°46'42" W.)

That airspace extending upward from 700 feet above the surface within a 7.6-mile radius of Independence Municipal Airport.

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Issued in Kansas City, MO, on January 11, 2005.

**Donna R. McCord,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–1405 Filed 1–25–05; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2004–19578; Airspace Docket No. 04–ACE–68]

#### Establishment of Class E2 Airspace; Lawrence, KS

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

**ACTION:** Final rule.

**SUMMARY:** This rule establishes a Class E surface area at Lawrence, KS. The effect of this rule is to provide appropriate controlled Class E airspace for aircraft departing from and executing instrument approach procedures to Lawrence Municipal Airport and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

**EFFECTIVE DATE:** 0901 UTC, March 17, 2005.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

#### SUPPLEMENTARY INFORMATION:

##### History

On Tuesday, November 30, 2004, the FAA proposed to amend 14 CFR part 71 to establish a Class E surface area at Lawrence, KS (69 FR 69556). 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.

##### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace designated as a surface area for an airport at Lawrence, KS. Controlled airspace extending upward from the

surface of the earth is needed to contain aircraft executing instrument approach procedures to Lawrence Municipal Airport. Weather observations will be provided by an Automated Surface Observing System (ASOS) and communications will be direct with Kansas City Air Route Traffic Control Center. The area will be depicted on appropriate aeronautical charts.

Class E airspace areas designated as surface areas are published in Paragraph 6002 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, 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 FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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.

This rule is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient user of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Lawrence Municipal Airport.

#### 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 Federal Aviation Administration Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

#### ACE KS E2 Lawrence, KS

Lawrence Municipal Airport, KS  
(Lat. 39°00'40" N., long. 95°13'00" W.)

Within a 4-mile radius of Lawrence Municipal Airport and within 1.2 miles each side of the 333° bearing from the airport extending from the 4-mile radius to 4.2 miles northwest of the airport.

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Issued in Kansas City, MO, on January 11, 2005.

**Donna R. McCord,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–1408 Filed 1–25–05; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2004–19334; Airspace Docket No. 04–ACE–63]

#### Modification of Class E Airspace; Sedalia, MO

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

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

**SUMMARY:** This action corrects a direct final rule; request for comments that was published in the **Federal Register** on Friday, October 29, 2004, (69 FR 63056) (FR Doc. 04–24259). It corrects errors in the legal description of the Class E airspace area extending upward from 700 feet above the surface at Sedalia, MO.

**DATES:** The direct final rule is effective on 0901 UTC, January 20, 2005.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

#### SUPPLEMENTARY INFORMATION:

#### History

**Federal Register** document 04–24259, published on Friday, October 29, 2004 (69 FR 63056), modified the Class E airspace area extending upward from 700 feet above the surface at Sedalia, MO. The modification expanded the airspace area for diverse departures and modified or deleted extensions to the airspace area to provide controlled airspace of appropriate dimensions for aircraft executing instrument approach procedures to Sedalia Memorial Airport. The Sedalia Memorial Airport airport reference point (ARP) is used in the airspace legal description. However, publication of a revised Sedalia Memorial Airport ARP in the National Flight Data Digest on January 6, 2005, requires a further revision to the Sedalia, MO Class E airspace area.

Accordingly, pursuant to the authority delegated to me, the legal description of the Class E airspace area extending upward from 700 feet above the surface at Sedalia, MO, as published in the **Federal Register** on Friday, October 29, 2004, (69 FR 63056) (FR Doc. 04–24259) is corrected as follows:

#### § 71.1 [Corrected]

■ On page 63057, Column 3, fifth paragraph, third line, change "(Lat. 38°42'25"; N., long. 93°10'34" W.)" to read: "(Lat. 38°42'27"; N., long. 93°10'33" W.)"

Issued in Kansas City, MO, on January 11, 2005.

**Donna R. McCord,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–1420 Filed 1–25–05; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### 31 CFR Part 285

#### RIN 1510-AA78

#### Offset of Tax Refund Payments To Collect State Income Tax Obligations

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

**ACTION:** Final rule.