

airspace designations listed in this document would be published subsequently in the Order.

### The Direct Final Rule Procedure

The FAA anticipates that this regulation would 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 adverse comments or objections. 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

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2007-27110/Airspace Docket No. 07-AGL-1." The postcard will be date/time stamped and returned to the commenter.

### Agency Findings

The regulations adopted herein will 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. Therefore, it is

determined that this final rule does not have federalism implications under Executive Order 13132.

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 a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, 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 in Peru, Illinois Valley Regional-Walter A. Duncan Field, IL.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### Adoption of the Amendment

■ Accordingly, 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 7400.9P, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

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

\* \* \* \* \*

### AGL IL E5 Peru, IL

Peru, Illinois Valley Regional-Walter A. Duncan Field, IL  
(Lat. 41°21'07" N., long. 89°09'11" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Illinois Valley Regional-Walter A. Duncan Field Airport.

\* \* \* \* \*

Issued in Fort Worth, TX on February 14, 2007.

**Walter Tweedy,**

*Manager, System Support Group, ATO Central Service Area.*

[FR Doc. 07–804 Filed 2–23–07; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2006–25944; Airspace Docket No. 06–ACE–14]

#### Establishment of Class E5 Airspace; Potosi, MO

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

**ACTION:** Final rule.

**SUMMARY:** This rule establishes a Class E airspace area extending upward from 700 feet above the surface at Potosi, MO. The effect of this rule is to provide appropriate controlled Class E airspace for aircraft departing from and executing instrument approach procedures to Potosi Washington County Airport, MO and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

**DATES:** *Effective Date:* 0901 UTC, March 15, 2007. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Grant Nichols, System Support, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2522.

#### **SUPPLEMENTARY INFORMATION:**

#### **History**

On Friday, December 22, 2006, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Potosi, MO (71 FR 76954). The proposal was to establish a Class E5 airspace area to bring Potosi, MO airspace into

compliance with FAA directives. 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 rule amends Title 14 Code of Federal Regulations part 71 by establishing a Class E airspace area extending upward from 700 feet above the surface at Potosi Washington County Airport, MO. The establishment of Area Navigation (RNAV) Global Positioning System (GPS) Instrument Approach Procedures (IAP) to Runways 2 and 20 have made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules operations at Potosi Washington County Airport, MO. 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 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1. of the same Order. The Class E airspace designation 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 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 Potosi Washington County Airport, MO.

### 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.

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9P, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

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

\* \* \* \* \*

#### **ACE MO E5 Potosi, MO**

Potosi, Washington County Airport, MO (Lat. 37°55'45" N., long. 90°43'53" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Potosi, Washington County Airport, MO.

\* \* \* \* \*

Issued in Fort Worth, TX, on February 14, 2007.

**Walter Tweedy,**

*Manager, System Support Group, ATO Central Service Area.*

[FR Doc. 07–805 Filed 2–23–07; 8:45 am]

**BILLING CODE 4910–13–M**

## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **14 CFR Part 382**

#### **Guidance Concerning the Carriage of Service Animals in Air Transportation Into the United Kingdom**

**AGENCY:** Office of the Secretary, Department of Transportation (DOT).

**ACTION:** Notice of guidance concerning the carriage of service animals in air transportation from the United States to the United Kingdom.

**SUMMARY:** This notice publishes guidance concerning the carriage of

service animals in air transportation from the United States (U.S.) to the United Kingdom (U.K.). These guidelines address the differences between U.K. laws regulating the transport of service animals on flights into the U.K. and U.S. law with respect to the carriage of service animals in air transportation. U.K. laws affecting the transport of service animals in air travel differ significantly from the requirements of the Air Carrier Access Act (ACAA), 49 U.S.C. 41705, and its implementing regulation in 14 CFR Part 382, resulting in uncertainty for carriers and persons with disabilities about the requirements that apply on flights into or transiting the U.K.

The purpose of this guidance document is to assist U.S. and foreign carriers, as well as passengers with disabilities, in complying with both U.S. and U.K. regulations concerning the transport of service animals on flights from the U.S. to the U.K. by: (1) Explaining the procedures passengers must follow to comply with the U.K.'s Pet Travel Scheme (PETS); (2) explaining the procedures U.S. and foreign carriers must follow to obtain an approved Required Method of Operation (RMOP) from the U.K.'s Department for Environment Food and Rural Affairs (DEFRA); and (3) notifying both U.S. and foreign carriers operating flights between the U.S. and the U.K. that failure to obtain an approved RMOP from DEFRA will be considered a violation of the ACAA and may subject such carriers to enforcement action by the U.S. DOT.

**ADDRESSES:** This guidance document is available on the Department's Web site at <http://airconsumer.ost.dot.gov/> and future updates or revisions will also be posted there. Questions regarding this notice may be addressed to the Office of the Assistant General Counsel for Aviation Enforcement and Proceedings, C–70, 400 Seventh Street, SW., Room 4116, Washington, DC 20590.

#### **FOR FURTHER INFORMATION CONTACT:**

Kathleen Blank Riether, Attorney, Office of the Assistant General Counsel for Aviation Enforcement and Proceedings, 400 Seventh Street, SW., Washington, DC 20590; (202) 366–9342; e-mail [kathleen.blankriether@dot.gov](mailto:kathleen.blankriether@dot.gov).

#### **Introduction**

Service animals perform many tasks to improve the quality of life and independence of persons with disabilities. Accordingly, the ability to travel with a service animal is critically important to those passengers who rely on them to assist with their disabilities. For health and safety reasons, until