

Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace at Huntsville Municipal Airport, Huntsville, AR.

#### Lists 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, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 7400.9R, Airspace Designation and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

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

\* \* \* \* \*

##### ASW AR E5 Huntsville, AR [New]

Huntsville Municipal Airport, AR  
(Lat. 36°05'42"N., long. 93°45'17"W.)

That airspace extending upward from 700 feet above the surface of the earth within a 5-mile radius of Huntsville Municipal Airport.

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Issued in Fort Worth, TX, on January 4, 2008.

**Donald R. Smith,**

Manager, System Support Group, ATO  
Central Service Center.

[FR Doc. 08–663 Filed 2–14–08; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0003; Airspace  
Docket No. 08–ASW–1]

#### Establishment of Class E Airspace; Lexington, OK

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

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

**SUMMARY:** This action establishes Class E airspace at Lexington, OK. New Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) at Muldrow Army Heliport make this action necessary. This action will enhance the safety and management of Instrument Flight Rules (IFR) aircraft operations at Muldrow Army Heliport, Lexington, OK.

**DATES:** *Effective Dates:* 0901 UTC April 10, 2008. Comments for inclusion in the rules Docket must be received by March 31, 2008. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001. You must identify the docket number FAA–2008–0003/Airspace Docket No. 08–ASW–1, at the beginning of your comments. You may also submit comments through the Internet at <http://regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office, telephone number 1–800–647–5527, is on the ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Joe Yadouga, Central Service Center, System Support Group, Federal Aviation Administration, Southwest Region, Fort Worth, Texas, 76193–0530; telephone number (817) 222–5597.

#### SUPPLEMENTARY INFORMATION:

##### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or

negative comments, and, therefore, issues it as a direct final rule. 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 effective date of the rule. If the FAA receives, within the comment period, an adverse or negative comment, or written comment 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. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the direct final rule. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the direct final rule. Commenters wishing the FAA to acknowledge receipt of their comments on this rule must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket No. FAA–2008–0003, Airspace Docket No. 08–ASW–1.” The postcard will be date/time stamped and returned to the commenter. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. 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.

#### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace at Lexington, OK, providing the airspace required to support the new 175° Copter RNAV (GPS) approach developed for IFR landings at Muldrow Army Heliport. Controlled airspace extending

upward from the surface is required to encompass all SIAPs and for the safety of IFR operations at Muldrow Army Heliport. Designations for Class E airspace areas extending upward from the surface of the earth are published in the FAA Order 7400.9R, signed August 15, 2007 and effective September 15, 2007, which is incorporated by reference in 14 CFR Part 71.1. Class E designations listed in this document will be published subsequently in the Order.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among various levels of government. Therefore, it is determined that this final rule does not have federalism implication under Executive Order 13132.

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, is non-controversial and unlikely to result in adverse or negative comments. 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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49, of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace at Muldrow Army Heliport, Lexington, OK.

#### Lists 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, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 7400.9R, Airspace Designation and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

*Paragraph 6002 Class E2 airspace areas extending upward from the surface of the earth.*

\* \* \* \* \*

#### ASW OK E2 Lexington, OK [New]

Muldrow Army Heliport, OK  
(Lat. 35°01'58" N., long. 97°13'90" W.)

That airspace extending upward from the surface to and including 3,600 feet above mean sea level (MSL) within a 3.7-mile radius of the Muldrow Army Heliport, OK; and within 3 miles each side of the Muldrow 175° Copter RNAV (GPS) approach course extending from the 3.7-mile radius north 6.8 miles. This airspace is effective during specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Fort Worth, TX, on January 4, 2008.

**Donald R. Smith,**

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

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 135

[Docket No. FAA–1999–6717; Amendment No. 135–112]

RIN 2120–AI03

#### Extended Operations (ETOPS) of Multi Engine Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; delay of compliance dates.

**SUMMARY:** The Federal Aviation Administration (FAA) is delaying the compliance date for certain sections of a final rule, published January 16, 2007, that established regulations governing the design, operation, and maintenance of certain airplanes operated on flights that fly over 180 minutes from an adequate airport. The extension of the compliance date is necessary to give operators additional time to gain a comprehensive understanding of Extended Operations (ETOPS) requirements, develop training and procedures, and implement safety measures established in the final rule. In addition, the regulatory text for certain sections is amended to reflect this delay of compliance dates.

**DATES: Effective Dates:** The effective date for the amendments in this final rule is February 15, 2008.

**Compliance Dates:** The compliance date contained in the Final Rule (72 FR 1808), for §§ 135.98, 135.345(a)(9), and 135.364, section G135.2.1 of appendix G to part 135, and section G135.2.9 of appendix G to part 135 is delayed by 180 days, from February 16, 2008, to August 13, 2008. The delay of compliance dates for these specific sections of the Final Rule does not affect any other compliance date established in Table 2 of Section VI of the preamble to the Final Rule.

**FOR FURTHER INFORMATION CONTACT:** Jim Ryan, Air Carrier Operations Branch (AFS–220), Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591, Telephone (202–267–7493), E-Mail [jim.ryan@faa.gov](mailto:jim.ryan@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Availability of Rulemaking Documents

You can get an electronic copy of rulemaking documents using the Internet by—

1. Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);