

**ACTION:** Direct final rule; confirmation of effective date; correction.

**SUMMARY:** This action confirms the effective date of a direct final rule published in the **Federal Register** (73 FR 56471) that revises the Class E Airspace at Windsor Locks, Bradley International Airport, CT (BDL) to provide for adequate controlled airspace for those aircraft using Instrument Approach Procedures previously defined using the CHUPP NDB. The CHUPP NDB has been decommissioned, and after evaluation of the extension to the Windsor Locks Class C airspace, the FAA determined that the Class E3 airspace should be retained and extended 1 mile to provide adequate controlled airspace for the Instrument Approach Procedures to BDL. In addition, this action corrects a minor error made in the Airspace Designation.

**DATES:** Effective 0901 UTC, November 20, 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

**FOR FURTHER INFORMATION CONTACT:** Melinda Giddens, Operations Support Group, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; Telephone (404) 305-5610, Fax 404-305-5572.

**SUPPLEMENTARY INFORMATION:**

**Confirmation of Effective Date**

The FAA published this direct final rule with a request for comments in the **Federal Register** on September 29 (73 FR 56471) amending Class E3 airspace at Windsor Locks, Bradley International Airport, CT (BDL) to provide for adequate controlled airspace for those aircraft using Instrument Approach Procedures to the airport. 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 November 20, 2008. No adverse comments were received, and thus this notice confirms that effective date.

**Correction to Final Rule**

After publication, it was observed that a grammatical correction was required

to correct the Airspace Designation. Therefore, in the **Federal Register** Docket No. FAA-2008-0817; Airspace Docket No. 08-ANE-101, published on September 29, 2008, (73 FR 56471) make the following correction. On page 56473, in the first column, in the Airspace Designation correct the State identifier (currently CTA) to read "CT".

For verification and to avoid confusion, the entire description should read as follows:

*Paragraph 6003 Class E Airspace Areas Designated as an Extension.*

\* \* \* \* \*

**ANE CT E3 Windsor Locks, CT [Revised]**

Windsor Locks, Bradley International Airport, CT,  
(Lat. 41°56'20" N., long 72°41'00" W.)

That airspace extending upward from the surface within 3.2 miles each side of the 224 bearing from the Bradley International Airport (BDL) and extending from the 5 mile radius to 9.6 miles SW of the Bradley International Airport. The Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility directory.

\* \* \* \* \*

Issued in College Park, Georgia, on October 29, 2008.

Signed by:

**Barry A. Knight,**

*Acting Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. E8-27536 Filed 11-19-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2008-0454; Airspace Docket No. 08-AAL-13]**

**Establishment of Class E Airspace; Napakiak, AK**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Napakiak, AK to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Two SIAPs are being developed for the Napakiak Airport. This action establishes Class E airspace upward from 700 feet (ft.) and 1,200 ft. above the surface at Napakiak Airport, Napakiak, AK.

**DATES:** *Effective Date:* 0901 UTC, January 15, 2009. 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.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, AAL-538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/fs/alaskan/rulemaking/](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/fs/alaskan/rulemaking/).

**SUPPLEMENTARY INFORMATION:**

**History**

On Thursday September 18, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR) part 71 to establish Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at Napakiak, AK (73 FR 54092). The action was proposed in order to create Class E airspace sufficient in size to contain aircraft while executing instrument procedures for the Napakiak Airport. Class E controlled airspace extending upward from 700 ft. and 1,200 ft. above the surface in the Napakiak Airport area is created by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, 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 establishes Class E airspace at the Napakiak Airport, Alaska. This Class E airspace is created to accommodate aircraft executing new instrument procedures, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for

Instrument Flight Rules (IFR) operations at the Napakiak Airport, Napakiak, Alaska.

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. 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 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 1, 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 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the Napakiak Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

#### 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 14 CFR 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 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

*Paragraph 6005 Class E Airspace Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### AAL AK E5 Napakiak, AK [New]

Napakiak, Napakiak Airport, AK  
(Lat. 62°41’25” N., long. 161°58’43” W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Napakiak Airport, AK; and that airspace extending upward from 1,200 feet above the surface within a 84-mile radius of the Napakiak Airport, AK.

\* \* \* \* \*

Issued in Anchorage, AK, November 7, 2008.

**Anthony M. Wylie,**

*Manager, Alaska Flight Services Information Area Group.*

[FR Doc. E8–27547 Filed 11–19–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0458; Airspace Docket No. 08–AAL–17]

#### Establishment of Class E Airspace; Shageluk, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Shageluk, AK to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Two SIAPs are being developed for the Shageluk Airport. This action establishes Class E airspace upward from 700 feet (ft.) and 1,200 ft. above the surface at Shageluk Airport, Shageluk, AK.

**DATES:** *Effective Date:* 0901 UTC, January 15, 2009. 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.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, AAL–538G, Federal Aviation

Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/fs/alaskan/rulemaking/](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/fs/alaskan/rulemaking/).

#### SUPPLEMENTARY INFORMATION:

##### History

On Thursday, September 18, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR) part 71 to establish Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at Shageluk, AK (73 FR 54091). The action was proposed in order to create Class E airspace sufficient in size to contain aircraft while executing instrument procedures for the Shageluk Airport. Class E controlled airspace extending upward from 700 ft. and 1,200 ft. above the surface in the Shageluk Airport area is created by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9S, *Airspace Designations and Reporting Points*, signed October 3, 2008, and effective October 31, 2008, 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 establishes Class E airspace at the Shageluk Airport, Alaska. This Class E airspace is created to accommodate aircraft executing new instrument procedures, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the Shageluk Airport, Shageluk, Alaska.

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. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a