

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 U.S. 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 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 amends controlled airspace at Tioga Municipal Airport, Tioga, ND.

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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 Part 71.1 of the Federal Aviation Administration Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

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

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AGL ND E5 Tioga, ND [Amended]

Tioga, Tioga Municipal Airport, ND
(Lat. 48°22’49” N., long. 102°53’51” W.)
Minot AFB, ND
(Lat. 48°24’57” N., long. 101°21’29” W.)
Williston VORTAC
(Lat. 48°15’12” N., long. 103°45’02” W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Tioga Municipal Airport and within 4 miles either side of the 133° bearing from the Tioga Municipal Airport extending from the 6.7-mile radius to 10.2 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface bounded on the north by latitude 49°00’00” N, on the east by the 47-mile radius of Minot AFB, on the south by V-430, on the southwest by the 21.8-mile radius of the Williston VORTAC, and on the west by the North Dakota/Montana state boundary.

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Issued in Fort Worth, Texas, on Oct 1, 2009.

Walter L. Tweedy,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2009–0541; Airspace
Docket No. 09–ACE–7]

Amendment of Class E Airspace; St. Louis, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace for the St. Louis, MO area. Additional controlled airspace is necessary to accommodate Area Navigation (RNAV) Standard Instrument Approach Procedures (SIAP) at Spirit of St. Louis Airport, St. Louis, MO. Also, this action makes minor adjustments to the geographic coordinates for the Lambert-St. Louis International Airport, St. Louis VORTAC, and the Foristell VORTAC. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at Spirit of St. Louis Airport. **DATES:** Effective 0901 UTC, December 17, 2009. 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: Scott Enander, Central Service Center,

Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321–7716.

SUPPLEMENTARY INFORMATION:

History

On July 31, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace at St. Louis, MO, reconfiguring controlled airspace at Spirit of St. Louis Airport, St. Louis, MO (74 FR 38146, Docket No. FAA–2009–0541). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class E airspace at St. Louis, MO, adding additional controlled airspace at Spirit of St. Louis Airport, St. Louis, MO, for the safety and management of IFR operations. This action also makes minor adjustments to the geographic coordinates for the Lambert-St. Louis International Airport, St. Louis VORTAC, and the Foristell VORTAC.

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.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the U.S. 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 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 amends controlled airspace at Spirit of St. Louis Airport, St. Louis, 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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 Part 71.1 of the Federal Aviation Administration Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

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

* * * * *

ACE MO E5 St. Louis, MO [Amended]

St. Louis, Lambert-St. Louis International Airport, MO

(Lat. 38°44'55" N., long. 90°22'12" W.)

St. Louis, Spirit of St. Louis Airport, MO

(Lat. 38°39'44" N., long. 90°39'07" W.)

Alton, St. Louis Regional Airport, MO

(Lat. 38°53'25" N., long. 90°02'46" W.)

St. Charles, St. Charles County Smartt Airport, MO

(Lat. 38°55'47" N., long. 90°25'48" W.)

St. Louis VORTAC

(Lat. 38°51'38" N., long. 90°28'57" W.)

Foristell VORTAC

(Lat. 38°41'40" N., long. 90°58'16" W.)

ZUMAY LOM

(Lat. 38°47'17" N., long. 90°16'44" W.)

OBLIO LOM

(Lat. 38°48'01" N., long. 90°28'29" W.)

Civic Memorial NDB

(Lat. 38°53'32" N., long. 90°03'23" W.)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of Lambert-St. Louis International

Airport, and within 4 miles southeast and 7 miles northwest of the Lambert-St. Louis International Airport Runway 24 ILS localizer course extending from the airport to 10.5 miles northeast of the ZUMAY LOM, and within 4 miles southwest and 7.9 miles northeast of the Lambert-St. Louis International Airport Runway 12R ILS localizer course extending from the airport to 10.5 miles northwest of the OBLIO LOM, and within 4 miles southwest and 7.9 miles northeast of the Lambert-St. Louis International Airport Runway 30L ILS localizer course extending from the airport to 8.7 miles southeast of the airport, and within a 6.8-mile radius of Spirit of St. Louis Airport, and within 3.9 miles each side of the 258° bearing from Spirit of St. Louis Airport extending from the 6.8-mile radius of Spirit of St. Louis Airport to 10.6 miles west of the airport, and within 2.6 miles each side of the 098° radial of the Foristell VORTAC extending from the 6.8-mile radius of Spirit of St. Louis Airport to 8.3 miles west of the airport, and within a 6.4-mile radius of St. Charles County Smartt Airport, and within a 6.9-mile radius of St. Louis Regional Airport, and within 4 miles each side of the 014° bearing from the Civic Memorial NDB extending from the 6.9-mile radius of St. Louis Regional Airport to 7 miles north of the airport, and within 4.4 miles each side of the 190° radial of the St. Louis VORTAC extending from 2 miles south of the VORTAC to 22.1 miles south of the VORTAC.

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Issued in Fort Worth, Texas, on October 1, 2009.

Walter L. Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

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DATES: Effective 0901 UTC, December 17, 2009. 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: Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321-7716.

SUPPLEMENTARY INFORMATION:

History

On July 31, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace at Winona, MN, reconfiguring controlled airspace at Winona Municipal Airport—Max Conrad Field, Winona, MN. (74 FR 38145, Docket No. FAA-2009-0539). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class E airspace at Winona, MN, adding additional controlled airspace extending upward from 700 feet above the surface at Winona Municipal Airport—Max Conrad Field, Winona, MN, for the safety and management of IFR operations.

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2009-0539; Airspace Docket No. 09-AGL-14]

Amendment of Class E Airspace; Winona, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace at Winona, MN. Additional controlled airspace is necessary to accommodate Area Navigation (RNAV) Standard Instrument Approach Procedures (SIAP) at Winona Municipal Airport—Max Conrad Field, Winona, MN. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at Winona Municipal Airport—Max Conrad Field.