

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. Therefore, this proposed 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 proposed rule, when promulgated, would 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 for 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 the 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 additional controlled airspace at Rawlins Municipal/Harvey Field, Rawlins, WY.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 71.1 of the FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and

effective September 15, 2009 is amended as follows:

*Paragraph 6002 Class E airspace designated as surface areas.*

\* \* \* \* \*

##### ANM WY E2 Rawlins, WY [Amended]

Rawlins Municipal/Harvey Field, Rawlins, WY

(Lat. 41°48'20" N., long. 107°12'00" W.)

Sinclair NDB

(Lat. 41°48'07" N., long. 107°05'32" W.)

Within a 4.3-mile radius of the Rawlins Municipal/Harvey Field and within 4.3 miles north and 3 miles south of the 089° bearing from the Sinclair NDB extending from the 4.3-mile radius to 2.2 miles east of the NDB. This Class E airspace area is effective during the 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.

\* \* \* \* \*

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

\* \* \* \* \*

##### ANM WY E5 Rawlins, WY [Modified]

Rawlins Municipal/Harvey Field, Rawlins, WY

(Lat. 41°48'20" N., long. 107°12'00" W.)

That airspace extending upward from 700 feet above the surface within a 7.9-mile radius of the Rawlins Municipal/Harvey Field Airport, and within 4.3 miles each side of the 090° bearing from the Rawlins Municipal/Harvey Field Airport extending from the Airport to 15 miles east; that airspace extending upward from 1,200 feet above the surface beginning at lat. 41°30'20" N., long. 107°59'26" W.; to lat. 41°51'51" N., long. 108°04'00" W.; lat. 41°55'28" N., long. 107°32'00" W.; to lat. 42°20'33" N., long. 107°07'43" W.; to lat. 42°02'42" N., long. 106°33'00" W.; to lat. 41°52'00" N., long. 106°42'00" W.; to lat. 41°45'00" N., long. 106°41'00" W.; to lat. 41°28'21" N., long. 106°37'13" W.; to lat. 41°36'20" N., long. 107°08'23" W.; to the point of the beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on October 28, 2009.

H. Steve Karnes,

Acting Manager, Operations Support Group,  
Western Service Center.

[FR Doc. E9–26974 Filed 11–6–09; 8:45 am]

**BILLING CODE 4910–13–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R09–OAR–2009–0042; FRL–8902–7]

#### Revisions to the Arizona State Implementation Plan, Maricopa County Air Quality Department and Maricopa County

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Maricopa County Air Quality Department (MCAQD) and Maricopa County portions of the Arizona State Implementation Plan (SIP). These revisions concern PM–10 emissions from open outdoor fires and indoor fireplaces at commercial and institutional establishments, primary and secondary MCAQD ambient air quality standards, and residential woodburning devices. We are proposing approval of local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** Any comments on this proposal must arrive by *December 9, 2009*.

**ADDRESSES:** Submit comments, identified by docket number EPA–R09–OAR–2009–0042, by one of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

- *E-mail:* [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

- *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

*Instructions:* All comments will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through [www.regulations.gov](http://www.regulations.gov) or e-mail.

[www.regulations.gov](http://www.regulations.gov) is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot

contact you for clarification, EPA may not be able to consider your comment.

*Docket:* The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Al Petersen, Rulemaking Office (AIR-4), U.S. Environmental Protection Agency, Region IX, (415) 947-4118, [petersen.alfred@epa.gov](mailto:petersen.alfred@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the approval of local MCAQD Rules 314 and 510 and MC Ordinance P-26. In the Rules and Regulations section of this **Federal Register**, we are approving these local rules in a direct final action without prior proposal because we believe this SIP revision is not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule.

Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: April 13, 2009.

**Laura Yoshii,**

*Acting Regional Administrator, Region IX.*

**Editorial Note:** This document was received by the Office of the Federal Register on November 3, 2009.

[FR Doc. E9-26860 Filed 11-6-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA-2009-0108]

### Final Vehicle Safety Rulemaking and Research Priority Plan 2009-2011

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Plan availability.

**SUMMARY:** This document announces the availability of the Final Vehicle Safety Rulemaking and Research Priority Plan 2009-2011 (Priority Plan) in Docket No. NHTSA-2009-0108. The draft Priority Plan was announced in a Request for Comment published in the **Federal Register** on July 1, 2009. This document also summarizes the public comments received in response to that Request for Comments, and announces NHTSA's intent to incorporate those comments in the process of developing a longer-term motor vehicle safety strategic plan that would encompass the period 2010 to 2020, and will be announced in a separate **Federal Register** notice.

**FOR FURTHER INFORMATION CONTACT:** Dr. Joseph Carra, Director of Strategic Planning and Integration, National Highway Traffic Safety Administration, Room W48-318, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-0361. E-mail: [joseph.carra@dot.gov](mailto:joseph.carra@dot.gov)

**SUPPLEMENTARY INFORMATION:** On July 1, 2009, NHTSA published a Request for Comments (RFC) in the **Federal Register** (74 FR 31387) seeking public comment on the NHTSA Vehicle Safety Rulemaking and Research Priority Plan 2009-2011 (Priority Plan).

NHTSA received 29 comments on the July 2009 RFC, from vehicle manufacturers (Ford; Fuji Heavy Industries USA (Subaru)), parts suppliers (Delphi; Bendix), industry organizations and associations (Alliance of Automobile Manufacturers (Alliance); American Trucking Association (ATA); Heavy Duty Brake Manufacturers Association), automobile safety advocates (Advocates for Highway and Auto Safety (Advocates); Safe Kids USA; SafetyBeltSafe USA; Automotive Occupant Restraints Council (AORC), and concerned organizations and individuals (The Center for Injury Research and Prevention at the Children's Hospital of Philadelphia (CHOP); Safe Ride News; John Walsh; William M. Gorman; Karen Ahmed). All

of the comments on the NHTSA Vehicle Safety Rulemaking and Research Priority Plan 2009-2011 can be reviewed in <http://www.regulations.gov> (see Docket No. NHTSA-2009-0108).

Most commenters expressed general support of the Priority Plan, with several commenters commending NHTSA for publishing the RFC and allowing public comment. Two commenters noted that periodic publication of the Priority Plan, along with status updates, is good public policy and that it would help them align their own research plans. Commenters generally agreed with the priority areas NHTSA identified in the plan. Several of them suggested some additional projects that the Agency should consider within the areas of child safety, crash avoidance and crash mitigation technologies, drowsy, distracted and impaired drivers, and heavy truck stability control.

Several commenters suggested that it would be helpful if the plan more clearly explained how short-term priorities fit into NHTSA's overall mission to reduce fatalities and injuries in automobile crashes, and requested opportunities to meet to further discuss research plans and intermediate milestones. One commenter applauded the plan for being aggressive on behalf of highway safety. One commenter felt that the Priority Plan had serious deficiencies in that, in their view, it did not adequately address very specific areas including motorcoaches and related NTSB recommendations, crash compatibility regulatory action, older occupant protection, ejection mitigation regulatory action, glazing performance standards, consumer tire ratings beyond consumer information, remanufactured heavy vehicle truck tires, and motorcycle initiatives. That commenter suggested that these perceived deficiencies be corrected in the long-term plan. One commenter expressed concern that the Agency may not be adequately funded to achieve the goals delineated in the Priority Plan. Finally, several commenters discussed ways to improve crash datasets and to leverage existing SAE standards.

NHTSA appreciates the public response to the July 2009 RFC regarding the short-term Priority Plan, and looks forward to continuing to engage stakeholders in the planning and formulation of priority research and rulemaking activities in order to further its mission of reducing fatalities and injuries in crashes on the nation's roadways. In considering the breadth and strategic nature of the comments received, the Agency has determined that communication of how the Priority