

and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective date, 0901 UTC, December 15, 2011. 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:**

Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

**SUPPLEMENTARY INFORMATION:**

**History**

On July 15, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to modify controlled airspace at Miles City, MT (76 FR 41725). 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 6002 and 6005, respectively, of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface, at Frank Wiley Field, Miles City, MT, to accommodate IFR aircraft executing new RNAV (GPS) standard instrument approach procedures at the airport. This action also adjusts the geographic coordinates for Frank Wiley Field to coincide with the FAA's aeronautical database. This action is necessary for the safety and management of IFR operations.

The FAA has determined 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 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 discusses 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 modifies controlled airspace at Frank Wiley Field, Miles City, MT.

**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 71.1 of the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

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

\* \* \* \* \*

**ANM MT E2 Miles City, MT [Modified]**

Miles City, Frank Wiley Field, MT  
(Lat. 46°25'41" N., long. 105°53'11" W.)

Within a 4.9-mile radius of Frank Wiley Field, and within 3 miles each side of the 226° bearing of Frank Wiley Field extending from the 4.9-mile radius to 10.8 miles southwest of the airport, and within 3 miles each side of the 253° bearing of Frank Wiley Field extending from the 4.9-mile radius to 9.4 miles west of the airport. 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 MT E5 Miles City, MT [Modified]**

Miles City, Frank Wiley Field, MT  
(Lat. 46°25'41" N., long. 105°53'11" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Frank Wiley Field, and within 3.1 miles each side of the 047° bearing from Frank Wiley Field extending from the 7.4-mile radius to 15.5 miles northeast of the airport, and within 3.5 miles each side of the 226° bearing from Frank Wiley Field, extending from the 7.4-mile radius to 15 miles southwest of the airport, and within 4.5 miles each side of the 253° bearing from Frank Wiley Field, extending from the 7.4-mile radius to 12 miles west of the airport; that airspace extending upward from 1,200 feet above the surface within a 34.5-mile radius of Frank Wiley Field.

Issued in Seattle, Washington, on September 7, 2011.

**John Warner,**

*Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2011-23693 Filed 9-15-11; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2011-0517; Airspace Docket No. 11-AWP-7]**

**Establishment of Class E Airspace; Chinle, AZ**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Chinle Municipal Airport, Chinle, AZ, to accommodate aircraft using a new Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Chinle Municipal Airport. This improves the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective date, 0901 UTC, December 15, 2011. 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:**  
Eldon Taylor, Federal Aviation

Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

**SUPPLEMENTARY INFORMATION:**

**History**

On July 13, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish controlled airspace at Chinle, AZ (76 FR 41147). 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 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace extending upward from 700 feet above the surface, at Chinle Municipal Airport, to accommodate IFR aircraft executing new RNAV (GPS) standard instrument approach procedures at the airport. This action is necessary for the safety and management of IFR operations.

The FAA has determined 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 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 discusses 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 controlled airspace at Chinle Municipal Airport, Chinle, AZ.

**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 71.1 of the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

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

\* \* \* \* \*

**AWP AZ E5 Chinle, AZ [New]**

Chinle Municipal Airport, AZ  
(Lat. 36°06'34" N., long. 109°34'32" W.)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of Chinle Municipal Airport; that airspace extending upward from 1,200 feet above the surface within an area bounded by lat. 36°34'00" N., long. 110°00'00" W.; to lat. 36°38'00" N., long. 109°35'00" W.; to lat. 36°16'00" N., long. 109°02'00" W.; to lat. 36°04'00" N., long. 109°25'00" W.; to lat. 35°38'00" N., long. 110°01'00" W.; to lat. 36°19'00" N., long. 110°21'00" W., thence to the point of beginning.

Issued in Seattle, Washington, on September 7, 2011.

**John Warner,**

*Manager, Operations Support Group, Western Service Center.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 91, 119, 125, 133, 137, 141, 142, 145, and 147**

[Docket No. FAA-2008-1154; Amendment Nos. 91-325, 119-15, 125-61, 133-14, 137-16, 141-16, 142-8, 145-29, and 147-7]

**RIN 2120-AJ36**

**Restrictions on Operators Employing Former Flight Standards Service Aviation Safety Inspectors; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting a final rule published on August 22, 2011 (76 FR 52231). In that final rule the FAA prohibited any person holding a certificate from knowingly employing, or making a contractual arrangement with, certain individuals to act as an agent or a representative of the certificate holder in any matter before the FAA under certain conditions. This document corrects an amendment number.

**DATES:** Effective September 16, 2011.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this final rule, contact Nancy Lauck Claussen, Federal Aviation Administration, Air Transportation Division, AFS-200, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8166.

**Background**

On August 22, 2011, the FAA published a final rule entitled "Restrictions on Operators Employing Former Flight Standards Service Aviation Safety Inspectors" (76 FR 52231).

In that final rule the FAA prohibited any person holding a certificate from knowingly employing, or making a contractual arrangement with, certain individuals to act as an agent or a representative of the certificate holder in any matter before the FAA under certain conditions. These restrictions apply if the individual, in the preceding 2 year period directly served as, or was directly responsible for the oversight of, a Flight Standards Service Aviation Safety Inspector, and had direct responsibility to inspect, or oversee the inspection of, the operations of the certificate holder. This rule also applies to persons who own or manage fractional ownership program aircraft that are used to conduct operations