

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2011-0503; Airspace Docket No. 11-ASO-19]

**Proposed Amendment of Class E Airspace; Orlando, FL**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend Class E Airspace at Orlando, FL, as new Standard Instrument Approach Procedures have been developed at Orlando Executive Airport. This action would enhance the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Comments must be received on or before May 7, 2012. 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 rule to: U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Ave. SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2011-0503; Airspace Docket No. 11-ASO-19, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

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 proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-

2011-0503; Airspace Docket No. 11-ASO-19) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2011-0503; Airspace Docket No. 11-ASO-19." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRMs**

An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory circular No. 11-2A, Notice of Proposed Rulemaking distribution System, which describes the application procedure.

**The Proposal**

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class E airspace extending upward from 700 feet above the surface to support new standard instrument approach procedures developed at Orlando

Executive Airport, Orlando, FL, and for continued safety and management of IFR operations at the airport.

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 designation listed in this document will be published subsequently in the Order.

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. 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 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 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 proposed 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 proposed regulation is within the scope of that authority as it would amend Class E airspace at Orlando Executive Airport, Orlando, FL.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, 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 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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, 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.*

\* \* \* \* \*

**ASO FL E5 Orlando, FL [Amend]**

Orlando Executive Airport, FL  
(Lat. 28°32'44" N., long. 81°19'58" W.)  
Orlando VORTAC

(Lat. 28°32'34" N., long. 81°20'06" W.)

Orlando International Airport

(Lat. 28°25'44" N., long. 81°18'57" W.)

Kissimmee Municipal Airport

(Lat. 28°17'24" N., long. 81°26'14" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Orlando Executive Airport and within 3.1-miles each side of Orlando VORTAC 067° radial, extending from the 7-mile radius to 9.5-miles northeast of the VORTAC and within a 7-mile radius of Orlando International Airport and within 3 miles each side of Orlando VORTAC 176° radial extending from the 7-mile radius to 19 miles south of the VORTAC, and within a 7-mile radius of Kissimmee Municipal Airport.

Issued in College Park, Georgia, on March 14, 2012.

**Barry A. Knight,**

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

[FR Doc. 2012–6846 Filed 3–21–12; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 73**

[Docket No. FDA–2012–C–0224]

**E. & J. Gallo Winery; Filing of Color Additive Petition**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice of petition.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that E. & J. Gallo Winery has filed a petition proposing that the color additive regulations be amended to provide for the expanded safe use of mica-based pearlescent pigments as color additives in certain distilled spirits.

**FOR FURTHER INFORMATION CONTACT:**

Raphael A. Davy, Center for Food Safety and Applied Nutrition (HFS–265), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740–3835, 240–402–1272.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (section 721(d)(1) (21 U.S.C. 379e(d)(1))), notice is given that a color additive petition (CAP 2C0294) has been filed by E. & J. Gallo Winery, c/o Keller and Heckman LLP, One Embarcadero Center, Suite 2110, San Francisco, CA 94111. The petition proposes to amend the color additive regulations in 21 CFR 73.350 to provide for the safe use of mica-based pearlescent pigments prepared from titanium dioxide and mica as color additives in distilled spirits containing not less than 18% and not more than 23% alcohol by volume but not including distilled spirits mixtures containing more than 5% wine on a proof gallon basis.

The Agency has determined under 21 CFR 25.32(k) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Dated: March 13, 2012.

**Francis Lin,**

*Acting Director, Office of Food Additive Safety, Center for Food Safety and Applied Nutrition.*

[FR Doc. 2012–6854 Filed 3–21–12; 8:45 am]

**BILLING CODE 4160–01–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 114, 116, 118**

[Docket No. USCG–2008–1188]

**RIN 1625–AB36**

**General Bridge Regulation; Amendment**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Coast Guard is withdrawing its rulemaking concerning

amendments to the general bridge regulations. The rulemaking was initiated to clarify the statutory responsibilities of bridge owners to remove their bridges from navigable waterways when they are no longer being used for land transportation functions. The Coast Guard will initiate a new rulemaking on this matter when an appropriate methodology, which might include an investigation and meetings, to be used in determining whether an unused bridge is an unreasonable obstruction to navigation is developed.

**DATES:** The proposed rule is withdrawn on March 22, 2012.

**ADDRESSES:** The docket for this withdrawn rulemaking is available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG–2008–1188 in the “Keyword” box, and then clicking “Search.”

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice, call or email Mr. Chris Jaufmann, Bridge Program, U.S. Coast Guard, telephone 202–372–1511, email [Josef.C.Jaufmann@uscg.mil](mailto:Josef.C.Jaufmann@uscg.mil). If you have questions on viewing material in the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:**

**Background**

There were no documents published in the **Federal Register** for this rulemaking, but this rulemaking was announced in the Unified Agenda of Regulatory and Deregulatory Actions beginning in fall agenda 2009. The Coast Guard does not currently have regulations describing the processes of requiring alteration or removal of unused bridges. This rulemaking would have proposed making amendments to the general bridge regulations to articulate the responsibility of the bridge owner to alter or remove unused bridges, and to describe the Coast Guard processes to require alteration or removal of those bridges.

**Withdrawal**

The Coast Guard is withdrawing this rulemaking in order to ascertain the appropriate due process, which might include an investigation and meetings, to be used in determining whether an