

(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),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2014-17-05 The Boeing Company:**  
Amendment 39-17958; Docket No. FAA-2013-0978; Directorate Identifier 2013-NM-120-AD.

#### (a) Effective Date

This AD is effective October 8, 2014.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to The Boeing Company Model 767-400ER series airplanes, certificated in any category, as identified in Boeing Special Attention Service Bulletin 767-29-0113, dated May 29, 2013.

#### (d) Subject

Air Transport Association (ATA) of America Code 29, Hydraulic Power.

#### (e) Unsafe Condition

This AD was prompted by reports of turbine wheel bursts in the air driven pump (ADP) turbine gearbox assembly (TGA), which resulted in the release of high energy fragments. We are issuing this AD to prevent fragments from an uncontained turbine wheel burst penetrating the fuselage and striking passengers, or penetrating the wing-to-body fairing and striking ground handling or maintenance personnel, causing serious injury.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Replacement of Turbine Gearbox Assembly

Except as required by paragraph (i) of this AD: At the time specified in paragraph 1.E., “Compliance,” of Boeing Special Attention Service Bulletin 767-29-0113, dated May 29, 2013, replace the existing ADP TGA having part number N012000000 or N012000000-1 with an improved ADP TGA having part number N012000000-2 or N012000000-3, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 767-29-0113, dated May 29, 2013.

**Note 1 to paragraph (g) of this AD:** Guidance on modifying an existing ADP TGA so it can be re-identified as part number N012000000-2 or N012000000-3 can be found in Fairchild Controls Service Bulletin N012000000-29-03, Revision 3, dated March 7, 2014.

#### (h) Parts Installation Prohibition

As of the effective date of this AD, no person may install an ADP TGA having part number N012000000 or N012000000-1 on any airplane.

#### (i) Exception to Service Information Specifications

Where Boeing Special Attention Service Bulletin 767-29-0113, dated May 29, 2013, specifies a compliance time “after the original issue date of this service bulletin,” this AD requires compliance within the specified compliance time “after the effective date of this AD.”

#### (j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane.

#### (k) Related Information

For more information about this AD, contact Kenneth Frey, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6468; fax: 425-917-6190; email: [kenneth.frey@faa.gov](mailto:kenneth.frey@faa.gov).

#### (l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Special Attention Service Bulletin 767-29-0113, dated May 29, 2013.

(ii) Reserved.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>.

(4) You may view this service information at FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington on August 15, 2014.

**Michael Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2014-20213 Filed 9-2-14; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0994; Airspace Docket No. 13-ASW-29]

#### Establishment of Class E Airspace; Albuquerque, NM

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at the Albuquerque VHF Omni-Directional Radio Range Tactical Air Navigation Aid (VORTAC), Albuquerque, NM, to facilitate vectoring of Instrument Flight Rules (IFR) aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC). This improves the safety and management of IFR operations within the National Airspace System.

**DATES:** Effective date, 0901 UTC, November 13, 2014. 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.

**ADDRESSES:** FAA Order 7400.9X, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203-4517.

#### SUPPLEMENTARY INFORMATION:

#### History

On December 26, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Albuquerque, NM, (78 FR 78300). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received from the National Business Aviation Association in support of the recommended change.

Class E airspace designations are published in paragraph 6006, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, 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 en route domestic airspace extending upward from 1,200 feet above the surface, at the Albuquerque VORTAC navigation aid, Albuquerque, NM, to accommodate IFR aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC) by vectoring aircraft from en route airspace to terminal areas. 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 only affects air traffic procedures and air navigation, it is certified this rule, when promulgated, does 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 the Albuquerque, NM, VORTAC navigation aid, Albuquerque, NM.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### 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 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

*Paragraph 6006 En Route Domestic Airspace Areas.*

\* \* \* \* \*

#### ASW NM E6 Albuquerque, NM [New]

Albuquerque VORTAC, NM  
(Lat. 35°02'38" N., long. 106°48'59" W.)

That airspace extending upward from 1,200 feet above the surface within an area bounded by lat. 35°41'00" N., long. 109°38'30" W.; to lat. 35°51'00" N., long. 109°19'00" W.; to lat. 36°02'00" N., long. 108°13'00" W.; to lat. 36°12'00" N., long. 107°28'00" W.; to lat. 36°37'37" N., long. 106°21'00" W.; to lat. 36°43'00" N., long. 106°05'00" W.; to lat. 36°43'00" N., long. 105°20'30" W.; to lat. 35°12'30" N., long. 105°28'30" W.; to lat. 35°00'00" N., long. 105°04'00" W.; to lat. 35°00'00" N., long. 104°33'00" W.; to lat. 34°43'00" N., long. 104°33'00" W.; to lat. 34°30'00" N., long. 105°09'00" W.; to lat. 34°08'45" N., long. 105°09'00" W.; to lat. 33°58'00" N., long. 105°27'00" W.; to lat. 34°17'00" N., long. 105°51'00" W.; to lat. 34°17'00" N., long. 106°04'00" W.; to lat. 33°44'45" N., long. 106°04'00" W.; to lat. 33°49'30" N., long. 106°16'30" W.; to lat. 33°49'45" N., long. 106°45'20" W.; to lat. 33°35'00" N., long. 106°48'10" W.; to lat. 33°35'00" N., long. 107°36'00" W.; to lat. 33°50'00" N., long. 108°00'00" W.; to lat. 34°00'00" N., long. 108°00'00" W.; to lat. 34°21'00" N., long. 108°00'00" W.; to lat. 34°25'27" N., long. 109°08'37" W.; to lat. 34°17'28" N., long. 109°17'27" W.; to lat. 34°30'00" N., long. 109°35'00" W.; to lat. 34°47'52" N., long. 110°18'52" W., thence to the point of beginning.

Issued in Seattle, Washington, on 28 July, 2014.

**Christopher Ramirez,**

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

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