

VORTAC 190° radial extending from the 4.9-mile radius of Salina Municipal Airport to the VORTAC.

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

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ACE KS E5 Salina, KS [Revised]

Salina Municipal Airport, KS

(Lat. 38°47'29" N., long. 97°39'02" W.)

Salina VORTAC

(Lat. 38°55'35" N., long. 97°37'16" W.)

FLORY LOM

(Lat. 38°40'54" N., long. 97°38'42" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Salina Municipal Airport and within 4.4 miles each side of the 010° radial of the Salina VORTAC extending from the 7.4-mile radius to 12 miles north of the VORTAC and within 4 miles west and 8 miles east of the Salina Municipal ILS localizer south course extending from the airport to 16 miles south of the FLORY LOM.

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Issued in Kansas City, MO, on December 19, 1997.

Christopher R. Blum,

Acting Manager, Air Traffic Division, Central Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-ACE-36]

Amendment to Class D and Class E Airspace; Topeka, Philip Billard Municipal Airport, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends Class D and Class E airspace areas at Topeka, Philip Billard Municipal Airport, KS. The current description indicates part-time operation for the Class E airspace area at Topeka, Philip Billard Municipal Airport, KS. The actual hours of operation for the Class E airspace area are continuous. The Class E airspace area description at Topeka, Philip Billard Municipal Airport, KS, is revised to indicate the area is in effect continuously. A revision to the Airport Reference Point (ARP) is included in this document. The intended effect of this amendment is to indicate the Class E airspace area is in effect continuously, and amend the ARP for the Class D and Class E airspace areas.

DATES: *Effective date:* 0901 UTC, April 23, 1998.

Comment date: Comments for inclusion in the Rules Docket must be received on or before March 2, 1998.

ADDRESSES: Send comments in triplicate to the Federal Aviation Administration (FAA), Manager, Airspace Branch, Air Traffic Division (ACE-520), Attention: Rules Docket Number 97-ACE-36, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION: This amendment to 14 CFR part 71 amends the Class D and Class E airspace at Topeka, Philip Billard Municipal Airport, KS. The Class E airspace is amended by removing the statement which indicates part-time status. The Class E airspace area description does not reflect the actual hours of operation, which are continuous. This action will amend the description for the Class E airspace area at Topeka, Philip Billard Municipal Airport, KS, to indicate the area is in effect continuously. This action will also amend the ARP for the Class D and Class E airspace areas at Topeka, Philip Billard Municipal Airport, KS. The Class D and Class E airspace areas will be depicted on appropriate aeronautical charts. Class D airspace areas are published in paragraph 5000, Class E airspace areas designated as a surface area for an airport are published in paragraph 6002, and Class E airspace areas designated as an extension to a Class D or Class E surface area are published in paragraph 6004, of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is

issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, aeronautical, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made. "Comments to Docket No. 97-ACE-36." The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Therefore the FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) 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 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 5000 Class D airspace.

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ACE KS D Topeka, Philip Billard Municipal Airport, KS [Revised]

Topeka, Philip Billard Municipal Airport, KS (Lat. 39°04'07" N., long. 95°37'21" W.)

Topeka Forbes Field, KS (Lat. 38°57'01" N., long. 95°39'51" W.)

That airspace extending upward from the surface to and including 3,400 feet MSL within a 4-mile radius of Philip Billard Municipal Airport, excluding that airspace within the Topeka Forbes Field, KS, Class D airspace area. This Class D 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.

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Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

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ACE KS E2 Topeka, Philip Billard Municipal Airport, KS [Revised]

Topeka, Philip Billard Municipal Airport, KS (Lat. 39°04'07" N., long. 95°37'21" W.)

Topeka Forbes Field, KS (Lat. 38°57'01" N., long. 95°39'51" W.)

Within a 4-mile radius of Philip Billard Municipal Airport, excluding that airspace within the Topeka Forbes Field, KS, Class D and E airspace areas.

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Paragraph 6004 Class E airspace areas designated as an extension to a Class D or Class E surface area.

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ACE KS E4 Topeka, Philip Billard Municipal Airport, KS [Revised]

Topeka, Philip Billard Municipal Airport, KS (Lat. 39°04'07" N., long. 95°37'21" W.)

Topeka VORTAC (Lat. 39°08'14" N., long. 95°32'51" W.)

That airspace extending upward from the surface within 1.8 miles each side of the Topeka VORTAC 219° radial extending from the 4-mile radius of Philip Billard Municipal Airport to the VORTAC and within 1.8 miles each side of the Philip Billard Municipal Airport ILS localizer southeast course extending from the 4-mile radius of Philip Billard Municipal Airport to 10 miles southeast of the airport.

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Issued in Kansas City, MO, on December 19, 1997.

Christopher R. Blum,

Acting Manager, Air Traffic Division, Central Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-AEA-26]

Amendment to Class E Airspace; Wellsboro, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace extending upward from 700 feet Above Ground Level (AGL) at Wellsboro, PA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 28 and the amendment of the VHF Omnidirectional Radio Range (VOR)/GPS A SIAP at Grand Canyon State Airport have made this action necessary. This action is intended to provide adequate Class E airspace to contain instrument flight rules (IFR) operations for aircraft executing the GPS RWY 28 SIAP and the VOR/GPS A SIAP to Grand Canyon State Airport at Wellsboro, PA.

EFFECTIVE DATE: 0901 UTC, April 23, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 553-4521.

SUPPLEMENTARY INFORMATION:

History

On October 17, 1997, a proposal to amend 14 CFR Part 71 to modify the Class E airspace at Wellsboro, PA, was published in the **Federal Register** (62 FR 53982). The development of a GPS RWY 28 SIAP and the amendment of the VOR/GPS A SIAP for Grand Canyon State Airport require the amendment of the Class E airspace at Wellsboro, PA. The proposal was to amend controlled airspace extending upward from 700 feet AGL to contain IFR operations in controlled airspace during portions of the terminal operation and while transitioning between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed.