

Compliance with HIRF requirements may be demonstrated by tests, analysis, models, similarity with existing systems, or any combination of these. Service experience alone is not acceptable since normal flight operations may not include an exposure to the HIRF environment. Reliance on a system with similar design features for redundancy as a means of protection against the effects of external HIRF is generally insufficient since all elements of a redundant system are likely to be exposed to the fields concurrently.

#### Conclusion

In view of the design features discussed for the Fairchild Aircraft Incorporated Model SA227-CC and SA227-DC (C-26B) Airplanes, the following special conditions are issued. This action is not a rule of general applicability and affects only those applicants who apply to the FAA for approval of these features on these airplanes.

The substance of these special conditions has been subject to the notice and public comment procedure in several prior rulemaking actions. For example, the Dornier 228-200 (53 FR 14782, April 26, 1988), the Cessna Model 525 (56 FR 49396, September 30, 1991), and the Beech models 200, A200, and B200 airplanes (57 FR 1220, January 13, 1992). It is unlikely that additional public comment would result in any significant change from those special conditions already issued and commented on. For these reasons, and because a delay would significantly affect the applicant's installation of the system and certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions without notice. Therefore, these special conditions are being made effective upon publication in the Federal Register. However, as previously indicated, interested persons are invited to comment on these special conditions if they so desire.

#### List of Subjects in 14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols

#### Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g); 40113, 44701, 44702, and 44704; 14 CFR 21.16 and 21.101; and 14 CFR 11.28 and 11.49.

#### Adoption of Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the modified Fairchild Aircraft Incorporated Model SA227-CC and SA227-DC (C-26B) Airplanes:

1. *Protection of Electrical and Electronic Systems from High Intensity Radiated Fields (HIRF)*. Each system that performs critical functions must be designed and installed to ensure that the operations, and operational capabilities of these systems to perform critical functions, are not adversely affected when the airplane is exposed to high intensity radiated electromagnetic fields external to the airplane.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions*: Functions whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Kansas City, Missouri on December 21, 1995.

Henry A. Armstrong

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-31573 Filed 12-29-95; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 95-AGL-11]

#### Establishment of Class E Airspace; Shell Lake, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action establishes Class E airspace to accommodate a Very High Frequency Omnidirectional Range (VOR) and Distance Measuring Equipment (DME) Standard Instrument Approach Procedure (SIAP) for runway 32 at Shell Lake Municipal Airport; Shell Lake, WI. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed for aircraft executing the approach. The intended effect of this action is to provide adequate controlled airspace for aircraft executing the SIAP.

**EFFECTIVE DATE:** 0901 UTC, February 29, 1996.

#### FOR FURTHER INFORMATION CONTACT:

Eleanor J. Williams, Air Traffic Division, System Management Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (708) 294-7568.

#### SUPPLEMENTARY INFORMATION:

#### History

On August 4, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Shell Lake Municipal Airport, Shell Lake, WI (60 FR 39894). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL for Instrument Flight Rules (IFR) operations.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, 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 Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Shell Lake Municipal Airport, Shell Lake, WI. Controlled airspace extending upward from 700 to 1200 feet AGL is needed for aircraft executing the approach. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures.

The FAA has determined that 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 that this rule will not have a significant economic impact 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**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—[AMENDED]**

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; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

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

\* \* \* \* \*

AGL WI E5 Shell Lake, WI [New]

Shell Lake Municipal Airport, WI  
(Lat. 45°43'53" N, long. 91°55'14" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Shell Lake Municipal Airport and within 2.7 miles either side of the 143-degree bearing from the airport extending from the 6.3-mile radius to 7.4 miles southeast of the airport.

\* \* \* \* \*

Issued in Des Plaines, Illinois on December 6, 1995.

Jeffrey L. Griffith

Acting Manager, Air Traffic Division.

FR Doc. 95–31572 Filed 12–29–95; 8:45 am]

BILLING CODE 4910–13–M

**14 CFR Part 73**

[Airspace Docket No. 93–ASO–8]

**Expansion of Restricted Area R–2917, De Funiak Springs, FL**

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

**ACTION:** Final rule.

**SUMMARY:** This action expands the lateral and vertical dimensions of Restricted Area R–2917, De Funiak Springs, FL, to increase the size of the special use airspace around an existing Space Detection and Tracking Radar (FPS–85) system located at that site. A revision to U.S. Air Force safety regulations increased the size of special use airspace required around such installations to lessen any potential hazard to aircraft which are carrying electroexplosive devices.

**EFFECTIVE DATE:** 0901 UTC, February 29, 1996.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Military Operations Program Office, Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9361.

**SUPPLEMENTARY INFORMATION:****History**

On December 3, 1993, the FAA proposed to increase the lateral and vertical dimensions of R–2917 from a circular area with a 1.25-statute-mile radius, extending from the surface to 5,000 feet mean sea level, to a 2.5-nautical-mile radius circle, extending to, but not including Flight Level 230 (58 FR 63908).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. The coordinates for this airspace docket are based on North American Datum 83. Section 73.29 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8C dated June 29, 1995.

**The Rule**

This amendment to part 73 of the Federal Aviation Regulations (14 CFR part 73) increases the lateral and vertical dimensions of Restricted Area R–2917, De Funiak Springs, FL, in order to expand the special use airspace around an FPS–85 radar facility. The amendment increases the size of R–2917 to a 2.5-nautical-mile radius circle, and raises the designated altitude to, but not including, Flight Level 230. The Radio Frequency (RF) energy transmitted by the FPS–85 radar potentially could ignite electroexplosive devices that may be carried on board certain aircraft. There has been no increase in the power output or change to the emission pattern of the radar. This expansion is necessary because the U.S. Air Force has adopted revised safety criteria which better define the limits of the RF emission pattern of the FPS–85 radar. The expanded R–2917 remains totally within the confines of another existing restricted area, R–2914A, which extends from the surface to unlimited altitude, with a “continuous” time of designation. Consequently, since the affected area remains continuously designated restricted airspace, there will be no impact on nonparticipating aircraft operations as a result of this expansion. This amendment replaces a

temporary flight restriction which was implemented as an interim safety measure at the site. This amendment also changes the title of the using agency to “U.S. Air Force, Commander, U.S. Space Command, Peterson AFB, CO,” and adds a controlling agency for R–2917, with the title “U.S. Air Force, Eglin Approach Control.”

The FAA has determined that this 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 rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The U.S. Air Force completed an Environmental Impact Analysis of the proposed expansion action in accordance with Air Force Regulations, and applicable Federal Laws, regulations, and Executive Orders. The Air Force has determined that the action qualified for categorical exclusion 2R under Air Force Regulations: “Continuation of actions, if there is not substantial, adverse change from previously existing conditions.”

Because the expansion action is a minor adjustment to the internal boundaries of overlapping restricted areas, which does not change the outer limits of the restricted airspace as a whole, and the changes in the title of the using agency and addition of a controlling agency do not have potential environmental consequences, the FAA has determined that this action qualifies for categorical exclusion as a minor adjustment to a special-use airspace action under Paragraph 3(c) of Appendix 3 of FAA Order 1050.1D, “Policies and Procedures for Considering Environmental Impacts” and the regulations implementing the National Environmental Policy Act of 1969, 40 CFR part 1500. A documented categorical exclusion has been prepared by the FAA and placed in the Docket for the Final Rule.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).