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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-ASO-37]

#### Removal of Class E2 Airspace; Winston-Salem, NC

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

**ACTION:** Final rule.

**SUMMARY:** This amendment removes Class E2 airspace at Winston-Salem, NC. Weather observations are no longer taken at the Winston-Salem/Smith Reynolds Airport after the control tower closes each day. Therefore, there is no longer a requirement for Class E2 airspace for the airport.

**EFFECTIVE DATE:** 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Benny L. McGlamery, Operations Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

#### SUPPLEMENTARY INFORMATION:

##### History

Weather observations are no longer taken at the Winston-Salem/Smith Reynolds Airport after the control tower closes each day. Consequently, the airport no longer meets the criteria for Class E2 airspace. This action will eliminate the impact that Class E2 airspace has placed on users of the airspace in the vicinity of the airport. This rule will become effective on the date specified in the DATES section. Since this action removes the Class E2 airspace, which eliminates the impact of Class E2 airspace on users of the airspace in the vicinity of the Winston-Salem/Smith Reynolds Airport, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

#### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) removes Class E2 airspace at Winston-Salem, NC. Weather observations are no longer taken at the Winston-Salem/Smith Reynolds Airport after the control tower closes each day. Therefore, there is no longer a requirement for Class E2 airspace for the airport.

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.

#### 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; EO 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 Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

ASO SC E2 Winston-Salem, NC [Removed]

\* \* \* \* \*

Issued in College Park, Georgia, on December 2, 1996.

Benny L. McGlamery,  
*Acting Manager, Air Traffic Division,  
Southern Region.*

[FR Doc. 96-31871 Filed 12-13-96; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 96-AGL-12]

#### Establishment of Class E Airspace; Gettysburg, SD; Gettysburg Municipal Airport

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Gettysburg, SD. A Global Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway 31 has been developed for Gettysburg Municipal Airport. Controlled airspace extending upward from 700 to 1,200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

**EFFECTIVE DATE:** 0901 UTC, March 27, 1997.

**FOR FURTHER INFORMATION CONTACT:** John A. Clayborn, Air Traffic Division, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### History

On Thursday, September 12, 1996, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Gettysburg, SD (61 FR 48097). The proposal was to add controlled airspace extending upward from 700 to 1,200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting 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 objecting to the proposal were received. Class E airspace designations for areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, 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 Gettysburg, SD to accommodate aircraft executing the GPS Runway 31 SIAP at Gettysburg Municipal Airport. Controlled airspace extending upward from 700 to 1,200 feet AGL is needed to contain 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 Procedure (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 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 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

AGL SD E5 Gettysburg, SD [New]

Gettysburg Municipal Airport, SD  
(Lat. 44°59'15"N, long. 99°57'12"W)  
Pierre VORTAC

(Lat. 44°23'40"W, long. 100°09'46"W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Gettysburg Municipal Airport and within 4 miles each side of the 323 bearing from the airport extending from the 6.4-mile radius to 10 miles southeast and that airspace extending upward from 1,200 feet above the surface bounded on the west by V-71, on the north by V-344, on the east by V-561, and on the south by the 30.5 mile arc of the Pierre VORTAC, and that airspace east of the Gettysburg Municipal Airport bounded on the west by V-561, on the north by latitude 45°00'00"N, on the east by longitude 99°30'00"W, and thence south to V-263, and thence southwest to the 30.5-mile arc of the Pierre VORTAC.

\* \* \* \* \*

Issued in Des Plaines, Illinois on November 26, 1996.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 96-31869 Filed 12-13-96; 8:45 am]

BILLING CODE 4910-13-M

## **COMMODITY FUTURES TRADING COMMISSION**

### **17 CFR Part 4**

#### **Interpretation Regarding Use of Electronic Media by Commodity Pool Operators and Commodity Trading Advisors**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Delay of effective date of interpretation.

**SUMMARY:** On August 8, 1996, the Commodity Futures Trading Commission (“Commission”) issued an Interpretation Regarding Use of Electronic Media by Commodity Pool Operators and Commodity Trading Advisors, 61 FR 42146 (August 14, 1996). On October 15, 1996, the Commission extended the period for public comment until November 14, 1996, while delaying the effective date until December 16, 1996, 61 FR 54731

(October 22, 1996). The Commission has now determined to delay the effective date indefinitely. The Pilot Program for electronic filing of commodity pool operator and commodity trading advisor disclosure documents, which commenced on October 15, 1996, as originally provided, is not affected.

**DATES:** The effective date of the Interpretative Release referenced herein is delayed indefinitely.

#### **FOR FURTHER INFORMATION CONTACT:**

Susan C. Ervin, Deputy Director/Chief Counsel, or Gary L. Goldsholle, Attorney/Advisor, Division of Trading and Markets, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581. Telephone number: (202) 418-5450. Facsimile number: (202) 418-5536. Electronic mail: tm@cftc.gov.

**SUPPLEMENTARY INFORMATION:** On August 8, 1996, the Commission issued an Interpretation Regarding Use of Electronic Media by Commodity Pool Operators and Commodity Trading Advisors (“Interpretative Release” or “Release”). The Interpretative Release was designed to provide commodity pool operators (“CPOs”), commodity trading advisors (“CTAs”), and associated persons (“AP”) thereof, with guidance concerning the application of the Commodity Exchange Act and regulations thereunder to activities involving electronic media. The Commission sought comment on all issues discussed in the release, and any related issues, and provided that the effective date of the Interpretative Release would be October 15, 1996 and that comments should be received on or before that date. On October 15, 1996, the Commission extended the comment period until November 14, 1996, and delayed the effective date until December 16, 1996.

The Commission has now determined to delay the effective date indefinitely to permit full review and consideration of the comments received and issues presented. As with the prior postponement, the Commission emphasizes that this does not affect the statutory and regulatory requirements applicable to persons acting as CPOs and CTAs by means of electronic media, who “are subject to the same statutory and regulatory requirements under the Commission’s regulatory framework as persons employing other modes of communication.” 61 FR at 42150. The Commission also notes that the Commission staff letters and advisories cited in the Release, as stated therein, “represent interpretations by the Commission’s staff and do not