

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Airspace Docket No. 96-AAL-31]

Revision of Class E Airspace;  
Klawock, AKAGENCY: Federal Aviation  
Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action revises Class E airspace at Klawock Airport, AK. The revision of the Global Positioning System (GPS) and creation of a non-directional beacon (NDB) instrument approach to runway (RWY) 1 have made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Klawock Airport, AK.

**EFFECTIVE DATE:** 0901 UTC, July 17, 1997.

**FOR FURTHER INFORMATION CONTACT:** Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number: (907) 271-5863; email: Robert.van.Haastert@faa.dot.gov.

## SUPPLEMENTARY INFORMATION:

## History

On March 4, 1997, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace at Klawock was published in the **Federal Register** (62 FR 9720). The revision of the GPS and development of the NDB instrument approach procedures to RWY 1 at Klawock Airport, AK, have made this action necessary.

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, however, the coordinates for the Airport Reference Point were listed incorrectly and should read: 55° 34' 45" N, 133° 04' 34" W. The Federal Aviation Administration has determined that this change is editorial in nature and will not increase the scope of this rule. Except for the non-substantive change just disclosed, the rule is adopted as written.

The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of

FAA Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996. Paragraph 6005 is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The Class E airspace designations 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) revises Class E airspace located at Klawock, AK, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing instrument landing and departing procedures.

The Federal Aviation Administration has determined that these proposed regulations only involve 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. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 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 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

\* \* \* \* \*

## AAL AK E5 Klawock, AK [Revised]

Klawock Airport, AK  
(lat. 55° 34' 45" N, long. 133° 04' 34" W)  
Klawock NDB/DME  
(lat. 55° 34' 07" N, long. 133° 04' 46" W)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of the Klawock Airport and 6.5 miles north and 10 miles south of the 243° bearing from the Klawock NDB/DME extending to 16 miles southwest of the NDB/DME; and that airspace extending upward from the 1,200 feet above the surface within 6.7 miles northwest and 9.5 miles southeast of the 039° bearing from the airport extending from the airport to 6.7 miles northeast of the airport and within 6.7 miles northwest and 9.5 miles southeast of the 219° bearing from the airport extending from the airport to 32 miles southwest of the airport and 6.5 miles north and 10 miles south of the 243° bearing from the Klawock NDB/DME beginning 16 miles west of the NDB/DME and extending to 35 miles west of the NDB/DME.

\* \* \* \* \*

Issued in Anchorage, AK, on April 30, 1997.

**Willis C. Nelson,**

Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 97-12237 Filed 5-8-97; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 95

[Docket No. 28904; Amdt. No. 402]

IFR Altitudes; Miscellaneous  
Amendments

AGENCY: Federal Aviation  
Administration (FAA), DOT.  
ACTION: Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**EFFECTIVE DATE:** 0901 UTC, May 22, 1997.

**FOR FURTHER INFORMATION CONTACT:**

Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical

Programs Division, Flight Standards Service Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 267-8277.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

#### The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace.

In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days. 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. For the same reason, the FAA certifies

that this amendment 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 95

Airspace, Navigation (air).

Issued in Washington, DC on April 29, 1997.

**David R. Harrington,**  
Director, Flight Standards Service.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, May 22, 1997:

#### PART 95—IFR ALTITUDES

1. The authority citation for part 95 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

2. Part 95 is amended to read as follows:

#### REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES & CHANGEOVER POINTS

[Amendment 402 effective date, May 22, 1997]

From	To	MEA
<b>§ 95.1001 DIRECT ROUTES—U.S.</b>		
<b>Puerto Rico Routes—Route 11 Is Amended To Read in Part</b>		
Sends, PR FIX .....	**Varna, PR FIX .....	*5000
*4300—MOCA		
**5000—MCA VARNA FIX, SW BND		
Varna, PR FIX .....	San Juan, PR VORTAC .....	3700
<b>Puerto Rico Routes—Route 12 Is Added To Read</b>		
Mayaguez, PR VOR/DME .....	Joshe, PR FIX .....	6000
Joshe, PR FIX .....	*Varna, PR FIX .....	6000
*5000—MCA VARNA FIX, SW BND		
Varna, PR FIX .....	San Juan, PR VORTAC .....	3700
San Juan, PR VORTAC .....	JETSS, PR FIX .....	2000
JETSS, PR FIX .....	St Thomas, VI VOR/DME .....	2800
<b>Bahama Routes—10 LIMA Is Amended by Adding</b>		
Islands, BF NDB .....	Haana, BF FIX .....	3000
Haana, BF FIX .....	Marsh Harbour, BF NDB .....	3000
Marsh Harbour, BF NDB .....	Governors Harbour, BF NDB .....	3000
<b>Bahama Routes—53V Is Amended by Adding</b>		
Nassau, BF VOR/DME .....	Governors Harbour, BF NDB .....	3000
<b>Bahama Routes—59V Is Amended To Delete</b>		
Nassau, BF VOR/DME .....	Treasure Cay, BF VOR/DME .....	2000
<b>Bahama Routes—70V Is Amended By Adding</b>		
Freeport, BF VOR/DME .....	Marsh Harbour, BF NDB .....	3500
Marsh Harbour, BF NDB .....	Nassau, BF VOR/DME .....	3000

## REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES &amp; CHANGEOVER POINTS—Continued

[Amendment 402 effective date, May 22, 1997]

From	To	MEA
<b>§ 95.6001 VOR Federal Airway 1 Is Amended To Read in Part</b>		
Drone, NC FIX .....	Norfolk, VA VORTAC .....	*2500
*1600—MOCA		
Norfolk, VA VORTAC .....	Cape Charles, VA VORTAC .....	*2500
*1700—MOCA		
<b>§ 95.6002 VOR Federal Airway 2 Is Amended To Read in Part</b>		
Buffalo, NY VOR/DME .....	Clung, NY FIX .....	*6000
*2400—MOCA		
<b>§ 95.6014 VOR Federal Airway 14 Is Amended To Read in Part</b>		
Buffalo, NY VOR/DME .....	Geneseo, NY VOR/DME .....	*6000
*3900—MOCA		
<b>§ 95.6061 VOR Federal Airway 61 Is Amended To Read in Part</b>		
Pawnee City, NE VORTAC .....	*Bowlr, KS FIX .....	**4000
*4500—MRA		
**2800—MOCA		
<b>§ 95.6063 VOR Federal Airway 63 Is Amended To Read in Part</b>		
Bonham, TX VORTAC .....	Mc Alester, OK VORTAC .....	*3000
*2500—MOCA		
<b>§ 95.6067 VOR Federal Airway 67 Is Amended To Read in Part</b>		
Cedar Rapids, IA VOR/DME .....	Waterloo, IA VORTAC .....	2900
<b>§ 95.6071 VOR Federal Airway 71 Is Amended To Read in Part</b>		
Topeka, KS VORTAC .....	Pawnee City, NE VORTAC .....	*4000
*2800—MOCA		
Lincoln, NE VORTAC .....	Dwell, NE FIX .....	*3300
*2600—MOCA		
<b>§ 95.6076 VOR Federal Airway 76 Is Amended To Read in Part</b>		
Lubbock, TX VORTAC .....	*Welch, TX FIX .....	5200
*7000—MRA		
Welch, TX FIX .....	Patts, TX FIX .....	5200
Patts, TX FIX .....	Big Spring, TX VORTAC .....	4700
<b>§ 95.6084 VOR Federal Airway 84 Is Amended To Read in Part</b>		
Buffalo, NY VOR/DME .....	Geneseo, NY VOR/DME .....	*6000
*3900—MOCA		
<b>§ 95.6139 VOR Federal Airway 139 Is Amended To Read in Part</b>		
Pears, NC FIX .....	*Sunns, NC FIX .....	**6000
*5000—MCA SUNNS FIX, SE BND		
**2000—MOCA		
Sunns, NC FIX .....	Norfolk, VA VORTAC .....	2000
Norfolk, VA VORTAC .....	Cape Charles, VA VORTAC .....	*2500
*1700—MOCA		
<b>§ 95.6164 VOR Federal Airway 164 Is Amended To Read in Part</b>		
Bulge, NY FIX .....	Buffalo, NY VOR/DME .....	*6000
*2000—MOCA		
Buffalo, NY VOR/DME .....	Bizon, NY FIX .....	*6000
*4400—MOCA		
Bizon, NY FIX .....	Wellsville, NY VORTAC .....	*6000
*4500—MOCA		
<b>§ 95.6194 VOR Federal Airway 194 Is Amended To Read in Part</b>		
Mc Comb, MS VORTAC .....	Mizze, MS FIX .....	*3000

## REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES &amp; CHANGEOVER POINTS—Continued

[Amendment 402 effective date, May 22, 1997]

From	To	MEA
*1900—MOCA		
<b>§ 95.6210 VOR Federal Airway 210 Is Amended To Read in Part</b>		
Mingg, OK FIX ..... *2500—MOCA	Okmulgee, OK VOR .....	*4000
<b>§ 95.6272 VOR Federal Airway 272 Is Amended To Read in Part</b>		
Holle, OK FIX ..... *2500—MOCA	Mc Alester, OK VORTAC .....	*3000
<b>§ 95.6321 VOR Federal Airway 321 Is Amended To Read in Part</b>		
Abbet, GA FIX .....	Prest, GA FIX .....	2600

[FR Doc. 97-12052 Filed 5-8-97; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF COMMERCE****Bureau of Export Administration**

**15 CFR Parts 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 762, 764, 768, 770, and 772**

[Docket No. 970306044-7044-01]

RIN 0694-AB56

**Revisions and Clarifications to the Export Administration Regulations**

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Final rule.

**SUMMARY:** On March 25, 1996, the Bureau of Export Administration (BXA) published an interim rule (61 FR 12714) that restructured and reorganized the Export Administration Regulations (EAR). The interim rule clarified the language of the EAR and simplified the application and made the export control regulatory regime more user friendly. This rule amends the EAR by making certain revisions and clarifications and, in some cases, inserts material inadvertently omitted from the March 25 interim rule.

**DATES:** This rule is effective May 9, 1997.

**FOR FURTHER INFORMATION CONTACT:** Patricia Muldonian, Office of Exporter Services, Bureau of Export Administration, Telephone: (202) 482-2440.

**SUPPLEMENTARY INFORMATION:****Rulemaking Requirements**

1. This final rule has been determined to be not significant for the purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. This rule involves collections of information requirements subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under control numbers 0607-0001, 0607-0018, 0607-1052, 0694-00016, 0694-1017, 0694-0021, 0694-0029, 0694-0058, 0694-0093, 0694-0097, and 0694-0102. This rule also contains collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under control numbers 0694-0050 and 0694-0088. Public reporting burden for these collections of information are estimated to average 30 minutes for 0694-0050 and 45 minutes for 0694-0088 respectively per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. Send suggestions regarding burden estimates or any other aspect of the data requirements, including suggestions for reducing the burdens to Steve Baker, Bureau of Export Administration, and to the Office of Information and Regulatory Affairs, Office of Management and

Budget, Washington, D.C. 20503, Attention: BXA Desk Officer.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. The provisions of the Administrative Procedure Act requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military or foreign affairs function of the United States (see 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Patricia Muldonian, Office of Exporter Services, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

**List of Subjects**

*15 CFR Part 730*

Administrative practice and procedure, Advisory committees, Exports, Foreign trade, Reporting and recordkeeping requirements, Strategic and critical materials.