

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2004-17144; Airspace
Docket No. 04-ACE-10]

**Modification of Class E Airspace;
Cedar Rapids, IA**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of
effective date.

SUMMARY: This document confirms the
effective date of the direct final rule
which revises Class E airspace at Cedar
Rapids, IA.

EFFECTIVE DATE: 0901 UTC, June 10,
2004.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division,
Airspace Branch, ACE-520C DOT
Regional Headquarters Building, Federal
Aviation Administration, 901 Locust,
Kansas City, MO 64106; telephone:
(816) 329-2525.

SUPPLEMENTARY INFORMATION: The FAA
published this direct final rule with a
request for comments in the **Federal
Register** on March 12, 2004 (69 FR
11793). The FAA uses the direct final
rulemaking procedure for a non-
controversial rule where the FAA
believes that there will be no adverse
public comment. This direct final rule
advised the public that no adverse
comments were anticipated, and that
unless a written adverse comment, or a
written notice of intent to submit such
an adverse comment, were received
within the comment period, the
regulation would become effective on
June 10, 2004. No adverse comments
were received, and thus this notice
confirms that this direct final rule will
become effective on that date.

Issued in Kansas City, MO, on April 15,
2004.

Elizabeth S. Wallis,

*Acting Manager, Air Traffic Division, Central
Region.*

[FR Doc. 04-9400 Filed 4-23-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2004-17421; Airspace
Docket No. 04-ACE-22]

**Modification of Class E Airspace;
Chappell, NE**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule; request for
comments.

SUMMARY: This action amends Title 14
Code of Federal Regulations, part 71 (14
CFR 71) by revising Class E airspace at
Chappell, NE. A review of controlled
airspace for Billy G Ray Field revealed
it does not comply with the criteria for
700 feet above ground level (AGL)
airspace required for diverse departures.
The review also identified discrepancies
in the legal description for the Chappell,
NE Class E airspace area. The area is
modified and enlarged to conform to the
criteria in FAA Orders.

DATES: This direct final rule is effective
on 0901 UTC, August 5, 2004.
Comments for inclusion in the Rules
Docket must be received on or before
June 2, 2004.

ADDRESSES: Send comments on this
proposal to the Docket Management
System, U.S. Department of
Transportation, Room Plaza 401, 400
Seventh Street, SW., Washington, DC
20590-0001. You must identify the
docket number FAA-2004-17421/
Airspace Docket No. 04-ACE-22, at the
beginning of your comments. You may
also submit comments on the Internet at
<http://dms.dot.gov>. You may review the
public docket containing the proposal,
any comments received, and any final
disposition in person in the Dockets
Office between 9 a.m. and 5 p.m.,
Monday through Friday, except Federal
holidays. The Docket Office (telephone
1-800-647-5527) is on the plaza level
of the Department of Transportation
NASSIF Building at the above address.

FOR FURTHER INFORMATION CONTACT:

Brenda Mumper, Air Traffic Division,
Airspace Branch, ACE-520A, DOT
Regional Headquarters Building, Federal
Aviation Administration, 901 Locust,
Kansas City, MO 64106; telephone:
(816) 329-2524.

SUPPLEMENTARY INFORMATION: This
amendment to 14 CFR 71 modified the
Class E airspace area extending upward
from 700 feet above the surface at
Chappell, NE. An examination of
controlled airspace for Billy G Ray Field
revealed it does not meet the criteria for

700 feet AGL airspace required for
diverse departures as specified in FAA
Order 7400.2E, Procedures for Handling
Airspace Matters. The criteria in FAA
Order 7400.2E for an aircraft to reach
1200 feet AGL is based on a standard
climb gradient of 200 feet per mile plus
the distance from the airport reference
point to the end of the outermost
runway. Any fractional part of a mile is
converted to the next higher tenth of a
mile. The review also identified that the
Chappell, NE Class E airspace area legal
description was not in compliance with
FAA Order 8260.19C, Flight Procedures
and Airspace. The limit of the Class E
airspace area extension should be
defined as a distance from the Chappell
nondirectional radio beacon (NDB).
Inclusion of 1,200 AGL airspace in the
legal description is unnecessary since
this area is also defined in ANM CO E5
Denver, CO. This amendment expands
the airspace area from a 6-mile radius
to a 6.4-mile radius of Billy G Ray
Field, defines the extension in relation
to the Chappell NDB, corrects an error
in the bearing from the NDB describing
the Class E airspace area extension,
deletes a description of 1,200 AGL
airspace and brings the legal description
of the Chappell, NE Class E airspace
area into compliance with FAA Orders
7400.2E and 8260.19C. This area will be
depicted on appropriate aeronautical
charts. Class E airspace areas extending
upward from 700 feet or more above the
surface of the earth are published in
paragraph 6005 of FAA Order 7400.9L,
airspace Designations and Reporting
Points, dated September 2, 2003, and
effective September 16, 2003, 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 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. 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

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2004-17421/Airspace Docket No. 04-ACE-22." The postcard will be date/time stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and States or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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) if promulgated, 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 of 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 7400.9L, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

* * * * *

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

* * * * *

ACE NE E5 Chappell, NE

Chappell, Billy G Ray Field, NE
(Lat. 41°04'39" N., long. 102°27'51" W.)
Chappell NDB
(Lat. 41°04'36" N., long. 102°27'32" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Billy G Ray Field and within 2.2 miles each side of the 142° bearing from the Chappell NDB extending from the 6.4 mile radius of the airport to 7 miles southeast of the NDB.

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Issued in Kansas City, MO, on April 14, 2004.

Elizabeth S. Wallis,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 04-9401 Filed 4-23-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2004-16989; Airspace Docket No. 04-ACE-7]

Modification of Class E Airspace; Hays KS

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of the direct final rule

which revises Class E airspace at Hays, KS.

EFFECTIVE DATE: 0901 UTC, June 10, 2004.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on March 5, 2004 (69 FR 10330) and subsequently published corrections to the direct final rule on March 11, 2004 (69 FR 11712) and March 26, 2004 (69 FR 15667). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on June 10, 2004. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO, on April 14, 2004.

Elizabeth S. Wallis,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 04-9402 Filed 4-23-04; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2004-16990; Airspace Docket No. 04-ACE-8]

Modification of Class E Airspace; Larned, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of the direct final rule which revises Class E airspace at Larned, KS.

EFFECTIVE DATE: 0901 UTC, June 10, 2004.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division,