

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to airplanes identified in Table 1 of this AD, certificated in any category.

**TABLE 1.—APPLICABILITY**

McDonnell Douglas model—	As identified in Boeing Alert Service Bulletin—
(1) DC-10-10F, DC-10-30F (KC-10A and KDC-10), DC-10-40F, MD-10-10F, and MD-10-30F airplanes.	DC10-27A237, Revision 1, dated December 20, 2007.
(2) MD-11 and MD-11F airplanes .....	MD11-27A084, Revision 1, dated March 26, 2007.

**Unsafe Condition**

(d) This AD results from reports of standing water on the horizontal pressure panel above the main and center landing gear wheel wells. We are issuing this AD to prevent the accumulation of ice on the flight control cables in the wheel wells. When the landing gear doors open or vibration in this area occurs, such ice accumulation could break off and can cause injury to people or damage to property on the ground, can affect landing gear controls and rear spar flight control systems, can cause damage to other control systems, and might cause loss of control of the airplane.

**Compliance**

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Installation of Control Cable Freeze Protection**

(f) Within 24 months after the effective date of this AD, install control cable freeze protection by making the changes specified in and in accordance with the Accomplishment Instructions of the applicable service bulletin identified in Table 1 of this AD.

(g) For Model DC-10-30F (KC-10A and KDC-10), DC-10-40F, MD-10-10F, and MD-10-30F airplanes: Installations done before the effective date of this AD in accordance with Boeing Alert Service Bulletin DC10-27A237, dated January 9, 2007, are acceptable for compliance with the requirements of paragraph (f) of this AD.

**Alternative Methods of Compliance (AMOCs)**

(h)(1) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

**Material Incorporated by Reference**

(i) You must use Boeing Alert Service Bulletin DC10-27A237, Revision 1, dated December 20, 2007; or Boeing Alert Service

Bulletin MD11-27A084, Revision 1, dated March 26, 2007; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024).

(3) You may review copies of the service information incorporated by reference at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on May 14, 2008.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8-11465 Filed 5-28-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 73**

[Docket No. FAA-2008-0519; Airspace Docket No. 08-ASO-6]

**RIN 2120-AA66**

**Modification of Restricted Areas R-5314A, B, C, D, E, F, H, and J; and Revocation of Restricted Area R-5314G; Dare County Range, NC**

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

**ACTION:** Final rule.

**SUMMARY:** This action realigns the internal boundaries and amends the time of designation and using agency title for restricted areas R-5314A, B, C, D, E, and F; amends the time of designation and using agency title for

R-5314H and J; and revokes R-5314G. The FAA is taking this action to enhance the safety and operational efficiency of the Dare County Range.

**DATES:** *Effective Date:* 0901 UTC, July 31, 2008.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

Restricted Area R-5314 is part of the Dare County Range in North Carolina. R-5314 is divided into nine subareas, designated A, B, C, D, E, F, G, H and J. These subareas support the Air Force Dare bombing range and the Navy Dare bombing range and are used to train aircrews in various tactics such as air-to-ground ordnance delivery and night vision goggle operations. The current layout of R-5314 requires aircrews using the two ranges to share R-5314A and R-5314F. This involves extensive coordination between aircrew and the Range Control Officers at both ranges to deconflict the two operations. The U.S. Air Force requested that the FAA take action to reconfigure the internal alignment and boundaries of R-5314 to better delineate the airspace between the Navy and Air Force ranges. Under the reconfiguration, Air Force Dare users will operate in R-5314A, B, and C, while Navy Dare users will operate in R-5314D, E, and F. The airspace currently designated as R-5314G is subdivided into two areas and redesignated as R-5314C and R-5314F. The designation R-5314G will be revoked. To the east of the newly realigned C and F subareas, the current areas R-5314A, B, C, D, E and F are reconfigured into R-5314A, B, D, and E. This rearranges the location of several subareas within the current restricted area boundaries, but does not alter the existing geographic footprint or altitude floors of the R-5314 complex. The changes will simplify the restricted area

layout, enhance range boundary awareness for aircrews, eliminate much of the coordination and deconfliction actions currently required, and thereby enhance the safety and operational efficiency of the Dare County Range. The boundaries for restricted areas R-5314H and J are not being modified by this rule.

The FAA is also modifying the time of designation for all R-5314 subareas by removing the term "intermittent" from the descriptions. The term "intermittent" is used in the time of designation to denote sporadic or irregular use of an area. A review of over five years of utilization data for the Dare County Range shows regular and frequent use of the restricted areas; therefore, the term "intermittent" is inappropriate and is being deleted to more accurately represent actual usage of the areas. Other than removing the term "intermittent," this change does not alter the current published restricted area time of designation of "0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance." The change has no effect on the current or projected use of the Dare County Range restricted areas.

In addition, the name of the using agency for all of the restricted areas is changed to add the military service and correct the using agency name.

#### The Rule

This action realigns the internal boundaries and layout of restricted areas R-5314A, B, C, D, E and F, and revokes R-5314G. The airspace formerly within R-5314G is further subdivided and redesignated as restricted areas R-5314C and F. The boundaries for R-5314H and J are not modified by this rule and will remain as currently published. This action also removes the term "intermittent" from the time of designation for R-5314A, B, C, D, E, F, H and J. In addition, the name of the using agency for all of the above restricted areas is changed from "Commander, 4th Tactical Fighter Wing" to "U.S. Air Force, Commander, 4th Fighter Wing." This change adds the name of the military service and corrects the title of the 4th Fighter Wing.

This rule is an administrative change to realign the internal boundaries of existing restricted airspace, update the name of the using agency and correct the time of designation. These changes do not expand restricted airspace beyond the current lateral or vertical boundaries, or increase the available times of use, or alter the activities conducted within the restricted areas.

Therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

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 Department of Transportation (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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies restricted airspace in North Carolina.

#### Environmental Review

The FAA has reviewed the above referenced action according to Department of Transportation Order 5610.1C, "Procedures for Considering Environmental Impacts" and FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures." In accordance with FAA Order 1050.1E paragraphs 311d and 401p (5), it is determined that the action qualifies for categorical exclusion from further environmental review. Additionally, the implementation of this action will not result in any extraordinary circumstances in accordance with Order 1050.1E paragraph 304. Therefore, on February 15, 2008, the FAA issued a categorical exclusion declaration for the change in the internal boundaries for R-5314.

#### List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

#### § 73.53 [Amended]

■ 2. Section 73.53 is amended as follows:

\* \* \* \* \*

#### R-5314A Dare County, NC [Amended]

By removing the current boundaries, time of designation and using agency and substituting the following:

Boundaries. Beginning at lat. 35°42'36" N., long. 75°49'49" W.; to lat. 35°40'08" N., long. 75°50'14" W.; to lat. 35°40'25" N., long. 75°52'15" W.; to lat. 35°38'41" N., long. 75°52'34" W.; to lat. 35°39'01" N., long. 75°54'34" W.; to lat. 35°40'41" N., long. 75°54'09" W.; to lat. 35°41'31" N., long. 76°00'19" W.; to lat. 35°44'10" N., long. 75°59'41" W.; to the point of beginning.

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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#### R-5314B Dare County, NC [Amended]

By removing the current boundaries, time of designation and using agency and substituting the following:

Boundaries. Beginning at lat. 35°41'52" N., long. 75°45'11" W.; to lat. 35°34'41" N., long. 75°46'49" W.; to lat. 35°36'46" N., long. 76°01'19" W.; to lat. 35°41'31" N., long. 76°00'19" W.; to lat. 35°40'41" N., long. 75°54'09" W.; to lat. 35°39'01" N., long. 75°54'34" W.; to lat. 35°38'41" N., long. 75°52'34" W.; to lat. 35°40'25" N., long. 75°52'15" W.; to lat. 35°40'08" N., long. 75°50'14" W.; to lat. 35°42'36" N., long. 75°49'49" W.; to the point of beginning.

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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#### R-5314C Dare County, NC [Amended]

By removing the current boundaries, designated altitudes, time of designation, and using agency and substituting the following:

Boundaries. Beginning at lat. 35°44'10" N., long. 75°59'41" W.; to lat. 35°38'55" N., long. 76°00'52" W.; to lat. 35°39'21" N., long. 76°04'59" W.; to lat. 35°44'48" N., long. 76°03'44" W.; to the point of beginning.

Designated altitudes. 200 feet above the surface to 15,000 feet MSL.

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

\* \* \* \* \*

**R-5314D Dare County, NC [Amended]**

By removing the current boundaries, time of designation and using agency and substituting the following:

Boundaries. Beginning at lat. 35°47'51" N., long. 75°48'49" W.; to lat. 35°42'36" N., long. 75°49'49" W.; to lat. 35°44'10" N., long. 75°59'41" W.; to lat. 35°47'01" N., long. 75°58'59" W.; to lat. 35°46'08" N., long. 75°52'35" W.; to lat. 35°48'01" N., long. 75°51'59" W.; to the point of beginning.

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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**R-5314E Dare County, NC [Amended]**

By removing the current boundaries, designated altitudes, time of designation and using agency and substituting the following:

Boundaries. Beginning at lat. 35°48'31" N., long. 75°43'39" W.; to lat. 35°41'52" N., long. 75°45'11" W.; to lat. 35°42'36" N., long. 75°49'49" W.; to lat. 35°47'51" N., long. 75°48'49" W.; to lat. 35°48'01" N., long. 75°51'59" W.; to lat. 35°46'08" N., long. 75°52'35" W.; to lat. 35°47'01" N., long. 75°58'59" W.; to lat. 35°51'36" N., long. 75°57'54" W.; to lat. 35°49'31" N., long. 75°44'59" W.; to the point of beginning.

Designated altitudes. 500 feet above the surface to FL 205.

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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**R-5314F Dare County, NC [Amended]**

By removing the current boundaries, designated altitudes, time of designation and using agency and substituting the following:

Boundaries. Beginning at lat. 35°51'36" N., long. 75°57'54" W.; to lat. 35°44'10" N., long. 75°59'41" W.; to lat. 35°44'48" N., long. 76°03'44" W.; to lat. 35°51'53" N., long. 76°02'08" W.; to the point of beginning.

Designated altitudes. 200 feet above the surface to 15,000 feet MSL.

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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**R-5314G Dare County, NC [Removed]**

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**R-5314H Dare County, NC [Amended]**

By removing the current time of designation and using agency and substituting the following:

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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**R-5314J Dare County, NC [Amended]**

By removing the current time of designation and using agency and substituting the following:

Time of designation. 0600–2400 local time, Monday–Friday; 0700–1800 local time Saturday–Sunday; other times by NOTAM 6 hours in advance.

Using agency. U.S. Air Force, Commander, 4th Fighter Wing, Seymour Johnson AFB, NC.

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Issued in Washington, DC on May 22, 2008.

**Stephen L. Rohring,**

*Acting Manager, Airspace and Rules Group.*

[FR Doc. E8-11975 Filed 5-28-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 97**

**[Docket No. 30609; Amdt. No 3270]**

**Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments**

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

**ACTION:** Final rule.

**SUMMARY:** This Rule establishes, amends, suspends, or revokes STANDARD Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective May 29, 2008. The compliance date for each

SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 29, 2008.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

*Availability—*All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit <http://nfdc.faa.gov> to register.

Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

**FOR FURTHER INFORMATION CONTACT:**

Harry J. Hodges, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125). Telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPS. The complete regulators description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14