

Issued in Anchorage, AK, on May 16, 2008.
Anthony M. Wylie,
Manager, Alaska Flight Services Information Area Group.
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0134; Airspace
 Docket No. 08-AAL-3]

Revision of Class E Airspace; St. Mary's, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises Class E airspace at St. Mary's, AK, to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Two new SIAPs are being developed for the St. Mary's Airport. Additionally, four SIAPs are being amended. This action revises existing Class E airspace upward from the surface and from 700 feet (ft.) above the surface at St. Mary's Airport, St. Mary's, AK.

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Gary Rolf, AAL-538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: gary.ctr.rolf@faa.gov. Internet address: <http://www.alaska.faa.gov/at>.

SUPPLEMENTARY INFORMATION:

History

On Tuesday, February 19, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at St. Mary's, AK (73 FR 9063). The Notice of Proposed Rulemaking's airspace description included discussion of 1,200 ft. airspace, which is unnecessary in this action. Additionally, the airport coordinates are updated in this action to reflect the most recent airport survey. The action was proposed in order to

create Class E airspace sufficient in size to contain aircraft while executing SIAPs for the St. Mary's Airport. Class E controlled airspace extending upward from the surface and from 700 ft. above the surface in the St. Mary's Airport area is revised by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as surface areas are published in paragraph 6002 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 revises Class E airspace at the St. Mary's Airport, AK. This Class E airspace is revised to accommodate aircraft executing new and amended SIAPs, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the St. Mary's Airport, St. Mary's, Alaska.

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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart 1, Section 40103, Sovereignty and Use of Airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the St. Mary's Airport and represents the FAA's continuing effort to safely and efficiently use the navigable airspace.

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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 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.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

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Paragraph 6002 Class E airspace designated as surface areas.

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AAL AK E2 St. Mary's, AK [Revised]

St. Mary's Airport, AK
 (Lat. 62°03'39" N., long. 163°18'07" W.)

Within a 6.7-mile radius of the St. Mary's Airport, and within 4 miles either side of the 202° bearing from the St. Mary's Airport extending from the 6.7-mile radius to 10 miles south of the St. Mary's Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective

date and time will thereafter be continuously published in the Airport/Facility Directory.

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

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AAL AK E5 St. Mary's, AK [Revised]

St. Mary's, St. Mary's Airport, AK
(Lat. 62°03'39" N., long. 163°18'07" W.)

That airspace extending upward from 700 feet above the surface within a 8.7-mile radius of the St. Mary's Airport, and within 4 miles east and 8 miles west of the 202° bearing from the St. Mary's Airport, extending from the 8.7-mile radius to 16 miles south of the St. Mary's Airport.

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Anthony M. Wylie,

Manager, Alaska Flight Services Information Area Group.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0180; Airspace
Docket No. 08-AAL-6]

Revocation of Area Navigation Jet Routes J-888R and J-996R: Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes Area Navigation (RNAV) Jet Routes J-888R and J-996R, Alaska. These routes are no longer required by the Anchorage Air Route Traffic Control Center (ARTCC).

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, 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:

History

On April 3, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to revoke two area navigation routes in Alaska. Interested parties were invited to participate in this rulemaking

proceeding by submitting written comments on the proposal to the FAA. No comments were received. With the exception of editorial changes, this amendment is the same as that published in the notice of proposed rulemaking.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by revoking J-888R and J-996R. The Anchorage ARTCC requested the two RNAV Jet Routes be removed from the National Airspace System because they are no longer being used. The first route is J-888R from AMOTT (near Anchorage, AK) and ends at OZZIE (south of Bethel, AK). The second route is J-996R from Cape Newenham, AK, and ends at AMOTT (near Anchorage, AK). The FAA is taking this action to enhance the efficient use of the navigable airspace in Alaska.

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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

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 revokes RNAV Routes in Alaska.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental

Policy Act in accordance with FAA Order 1050.1E, Environmental Impacts: Policies and Procedures. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

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—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 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 FAA Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

Paragraph 2005 Alaska Area Navigation Routes

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J-888R [Revoked]

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J-996R [Revoked]

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Issued in Washington, DC, on May 22, 2008.

Stephen L. Rohring,

Acting Manager, Airspace and Rules Group.

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SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Docket No. SSA-2008-0024]

RIN 0960-AG81

Extension of the Expiration Date for Several Body Systems Listings

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: This final rule extends until July 1, 2010, the date on which Listing of Impairments (the listings) for six