

For the reasons discussed above, I certify that this AD:

- (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) 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

##### § 39.13 [Amended]

- 2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2008-03-20 Boeing:** Amendment 39-15371. Docket No. FAA-2007-28921; Directorate Identifier 2007-NM-091-AD.

##### Effective Date

- (a) This AD becomes effective March 17, 2008.

##### Affected ADs

- (b) None.

##### Applicability

- (c) This AD applies to Boeing Model 737-300, -400, and -500 series airplanes, certificated in any category; as identified in Boeing Special Attention Service Bulletin 737-25-1567, dated March 21, 2007.

##### Unsafe Condition

(d) This AD results from reports indicating that the forward door escape slide inflated 90 degrees out of alignment after deployment from the forward right side slide compartment. We are issuing this AD to prevent the escape slide from being unusable during an emergency evacuation and consequent injury to passengers or crewmembers.

##### 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.

#### Modification and Installation

- (f) Within 60 months after the effective date of this AD, modify the door-mounted escape system of the forward right side door slide compartment, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737-25-1567, dated March 21, 2007.

#### Prior to or Concurrent Requirement

- (g) Prior to or concurrently with the requirements of paragraph (f) of this AD, accomplish the requirements of AD 2004-02-08, amendment 39-13443.

#### Alternative Methods of Compliance (AMOCs)

- (h)(1) The Manager, Seattle Aircraft Certification Office, 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 Special Attention Service Bulletin 737-25-1567, dated March 21, 2007, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207 for a copy of this service information. You may review copies 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/cfr/ibr-locations.html>.

Issued in Renton, Washington, on January 30, 2008.

**Ali Bahrami,**

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

[FR Doc. E8-2363 Filed 2-8-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0003; Airspace Docket No. 08-ASW-1]

#### Establishment of Class E Airspace; Lexington, OK

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action establishes Class E2 airspace at Lexington, OK. Additional controlled airspace is necessary to accommodate aircraft using new RNAV Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAP) at Muldrow Army Heliport. The FAA proposes this action to enhance the safety and management of Instrument Flight Rules (IFR) aircraft operations at Muldrow Army Heliport, Lexington, OK.

**DATES:** *Effective Dates:* 0901 UTC April 10, 2008. Comments for inclusion in the rules Docket must be received March 27, 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.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2008-0003/Airspace Docket No. 08-ASW-1, at the beginning of your comments. You may also submit comments through the Internet at <http://regulations.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 number 1-800-647-5527, is on the ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Joe Yadouga, Central Service Center, System Support Group, Federal Aviation Administration, Southwest Region, Fort Worth, Texas 76193-0530; telephone number (817) 222-5597.

**SUPPLEMENTARY INFORMATION:**

## The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comments, and, therefore, issues it as a direct final rule. 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 effective date of the rule. If the FAA receives, within the comment period, an adverse or negative comment, or written comment 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

Although this action is in the form of a direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. An electronic copy of this document may be downloaded from <http://www.regulations.gov>. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received.

## The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E2 airspace at Lexington, OK providing the airspace required to support the new Copter RNAV (GPS) Runway 17 approach developed for IFR landings at Muldrow Army Heliport, OK. No Class E2 airspace exists in the area so new airspace must be developed which will serve IFR operations into Muldrow Army Heliport. Controlled airspace extending upward from the surface is required to encompass all SIAP and for the safety of IFR operations at Muldrow Army Heliport, Lexington, OK. Designations for class E2 airspace areas extending upward from the surface of the earth are published in the FAA Order 7400.9R, signed August 15, 2007 and effective September 15, 2007, which

is incorporated by reference in 14 CFR Part 71.1. Class E2 designations listed in this document will be published subsequently in the Order.

## Agency Findings

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

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, is non-controversial and unlikely to result in adverse or negative comments. 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, 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 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 establishes Class E2 airspace near Lexington, OK.

## Lists 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 Federal Aviation Administration Order 7400.9R, Airspace Designation and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

*Paragraph 6002 Class E2 airspace areas extending upward from the surface of the earth.*

\* \* \* \* \*

### ASW OK E2 Lexington, OK [New]

Muldrow Army Heliport  
(lat. 35°01'58" N., long. 97°13'90" W.)

That airspace extending upward from the surface to and including 3,600 feet above mean sea level (MSL) within a 3.7-mile radius of the Muldrow Army Heliport, OK and within 3 miles each side of the Muldrow runway 175 Copter RNAV (GPS) Runway 17 approach course extending north from the 3.7 mile radius to the 6.8 mile extension. This airspace is effective during specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in Forth Worth, TX on January 25, 2008.

**Delisa Kik,**

*Acting Manager, System Support Group, ATO Central Service Center.*

[FR Doc. 08–525 Filed 2–8–08; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

[Docket No. FAA–2008–0024; Airspace Docket No. 08–AGL–4]

### Establishment of Class E5 Airspace; Black River Falls, WI

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action establishes Class E5 airspace at Black River Falls, WI. Additional controlled airspace is necessary to accommodate aircraft using