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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-CE-47-AD; Amendment 39-13584; AD 2004-08-15]

RIN 2120-AA64

Airworthiness Directives; Goodrich Avionics Systems, Inc. TAWS8000 Terrain Awareness Warning System

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This document makes a correction to Airworthiness Directive (AD) 2004-08-15, which was published in the *Federal Register* on April 21, 2004 (69 FR 21393), and applies to all Goodrich Avionics Systems, Inc. (Goodrich) TAWS8000 terrain awareness warning systems (TAWS) that are installed on airplanes. We incorrectly referred to paragraph (d)(1) in the Compliance column of paragraph (e)(2). The correct reference is (e)(1). This action corrects the table in paragraph (e) of AD 2004-08-15, Amendment 39-13584.

EFFECTIVE DATE: The effective date of this AD remains June 7, 2004.

FOR FURTHER INFORMATION CONTACT: Brenda S. Ocker, Aerospace Engineer, FAA, Chicago Aircraft Certification Office, 2300 East Devon Avenue, Des Plaines, Illinois 60018; telephone: (847) 294-7126; facsimile: (847) 294-7834.

SUPPLEMENTARY INFORMATION:

Discussion

On April 13, 2004, FAA issued AD 2004-08-15, Amendment 39-13584 (69 FR 21393), that applies to all Goodrich TAWS8000 terrain awareness warning systems (TAWS) that are installed on airplanes. This AD requires you to inspect the TAWS installation and

modify any TAWS where both the TAWS and any other device are connected to the same baro set potentiometer. This AD also prohibits future installation or reconfiguration of any TAWS8000 TAWS that does not incorporate hardware "Mod C".

Need for the Correction

The FAA incorrectly referred to paragraph (d)(1) in the Compliance column of paragraph (e)(2). The correct reference is (e)(1). This action corrects the table in paragraph (e) of AD 2004-08-15, Amendment 39-13584.

This correction is needed to ensure that the affected airplane owners/operators do the corrective action after the inspection required in paragraph (e)(1).

Correction of Publication

■ Accordingly, the publication of April 21, 2004 (69 FR 21393), of Amendment 39-13584; AD 2004-08-15, which was the subject of FR Doc. 04-8792, is corrected as follows:

PART 39—AIRWORTHINESS DIRECTIVES

§ 39.13 [Corrected]

■ On page 21395, in § 39.13 [Amended], 2., replace the text in the Compliance column of paragraph (e)(2) of the AD with the following text: Before further flight after the inspection required in paragraph (e)(1) of this AD."

■ Action is taken herein to correct this reference in AD 2004-08-15 and to add this AD correction to § 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The effective date remains June 7, 2004.

Issued in Kansas City, Missouri, on May 18, 2004.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-11704 Filed 5-24-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2004-17721; Airspace Docket No. 04-ACE-ACE-33]

Modification of Class E Airspace; Mosby, MO

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 Mosby, MO. On March 1, 2004, a redefined airport reference point (ARP) for Clay County Regional Airport was published in the National Flight Data Digest. A review of controlled airspace at Mosby, MO revealed the Class E airspace area extending upward from 700 feet Above Ground Level (AGL) does not comply with FAA Orders. This action incorporates the revised ARP, expands the area slightly to comply with the criteria for 700 feet above ground level (AGL) airspace required for diverse departures, modifies the extension and brings the Mosby, MO Class E airspace area into compliance with FAA Orders.

DATES: This direct final rule is effective on 0901 UTC, September 30, 2004. Comments for inclusion in the Rules Docket must be received on or before July 26, 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-2004-17721/Airspace Docket No. 04-ACE-33, 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 modifies the Class E airspace area extending upward from 700 feet above the surface at Mosby, MO. The Clay County Regional Airport ARP has been redefined. An examination of controlled airspace for Clay County Regional Airport 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 extension to the Mosby, MO Class E airspace area is incorrectly defined. This amendment incorporates the revised Clay County Regional Airport ARP into the legal description, expands the airspace area from a 6.4-mile radius to a 6.5-mile radius of Clay County Regional Airport, redefines the centerline of the Mosby, MO Class E airspace area extension as a 343° versus a 340° bearing from the Mosby nondirectional radio beacon (NDB), and brings the legal description of the Mosby, MO Class E airspace area into compliance with FAA Orders 7400.2E and 8260.19C, Flight Procedures and Airspace. 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-2004-17221/Airspace No. 04-ACE-33." 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 the 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 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 7400.9L, 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 MO E5 Mosby, MO

Mosby, Clay County Regional Airport, MO
(Lat. 39°19'57" N., long. 94°18'35" W.)

Mosby NDB

(Lat. 39°20'46" N., long. 94°18'27" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Clay County Regional Airport and within 2.5 miles each side of the 343° bearing from the Mosby NDB extending from the 6.5-mile radius of the airport to 7 miles north of the NDB.

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Issued in Kansas City, MO, on May 11, 2004.

Paul J. Sheridan

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 04-11788 Filed 5-24-04; 8:45 am]

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