

soap solution to the side of the leaking cylinder, near the head-to-barrel interface.

(n) Replace the cylinder assembly before further flight, if air leakage and bubbles are observed on the side of the cylinder assembly, near the head-to-barrel interface.

(o) Repair or replace the engine cylinder assembly before further flight if the cause of the low gauge reading in paragraph (m) of this AD is from leaking intake or exhaust valves, or from leaking piston rings.

**Prohibition of ECi Cylinder Assemblies Affected by This AD**

(p) After the effective date of this AD, do not install any ECi cylinder assembly, P/N AEL65102, with cylinder head, P/N AEL85099, and with SN 1138-02 through SN 35171-22, or SN 35239-01 through SN 37016-28, onto any engine, and do not attempt to repair or reuse these ECi cylinder assemblies.

**Alternative Methods of Compliance**

(q) The Manager, Special Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

**Special Flight Permits**

(r) Under 14 CFR 39.23, we will not approve special flight permits for this AD for engines that have failed the visual inspection or the cylinder assembly compression test required by this AD.

**Related Information**

(s) ECi Mandatory Service Bulletin No. 08-1, Revision 3, dated August 19, 2008, pertains to the subject of this AD.

(t) Contact Peter W. Hakala, Aerospace Engineer, Special Certification Office, FAA, Rotorcraft Directorate, 2601 Meacham Blvd., Fort Worth, TX 76193; e-mail: *peter.w.hakala@faa.gov*; telephone (817) 222-5145; fax (817) 222-5785, for more information about this AD.

Issued in Burlington, Massachusetts, on September 5, 2008.

**Peter A. White,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. E8-21125 Filed 9-12-08; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2008-0366; Airspace Docket No. 08-ANM-5]

**Establishment of Class E Airspace; Weiser, ID**

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

**ACTION:** Final rule.

**SUMMARY:** This action will establish Class E airspace at Weiser Municipal

Airport, Weiser, ID. Controlled airspace is necessary to accommodate aircraft using a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) at Weiser Municipal Airport, Weiser, ID. This will improve the safety of Instrument Flight Rules (IFR) aircraft executing the new RNAV GPS SIAP at Weiser Municipal Airport, Weiser, ID.

**DATES:** *Effective Date:* 0901 UTC, November 20, 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:** Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Area, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

**SUPPLEMENTARY INFORMATION:**

**History**

On June 16, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish controlled airspace at Weiser, ID (73 FR 33940). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9R signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace at Weiser, ID. Additional controlled airspace is necessary to accommodate IFR aircraft executing a new RNAV (GPS) approach procedure at Weiser Municipal Airport, Weiser, ID.

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 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 U.S. Code. Subtitle 1, Section 106 discusses 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 controlled airspace at Weiser Municipal Airport, Weiser, ID.

**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 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 the Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007 is amended as follows:

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

\* \* \* \* \*

**ANM ID, E5 Weiser, ID [New]**

Weiser Municipal Airport, ID (Lat. 44°12'17" N., Long. 116°57'38" W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Weiser Municipal Airport.

\* \* \* \* \*

Issued in Seattle, Washington, on August 28, 2008.

Kevin Nolan,

Acting Manager, Operations Support Group,  
Western Service Center.

[FR Doc. E8-21225 Filed 9-12-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 14 CFR Part 382

[Docket No. DOT-OST-2008-0272 and  
DOT-OST-2008-0273]

#### Nondiscrimination on the Basis of Disability in Air Travel

**AGENCY:** Department of Transportation,  
Office of the Secretary.

**ACTION:** Notice of availability of  
electronic submission.

**SUMMARY:** The Department of Transportation is publishing the following document regarding the provisions on conflict of laws and equivalent alternative determinations contained in the Office of the Secretary (OST) final rule on "Nondiscrimination on the Basis of Disability in Air Travel" (73 FR 27614; May 13, 2008). The document announces the availability of electronic submissions for conflict of law waiver requests and applications for equivalent alternative determinations through the Federal Docket Management System (FDMS). It also provides guidance to U.S. and foreign air carriers on how to submit such requests and applications through FDMS.

**DATES:** This document is effective on September 15, 2008.

**FOR FURTHER INFORMATION CONTACT:** Blane A. Workie, Chief, Aviation Civil Rights Compliance Branch, Office of the Assistant General Counsel for Aviation Enforcement and Proceedings, Department of Transportation, 1200 New Jersey Avenue, SE., Room W98-310, Washington, DC 20590, (202) 366-9342.

**SUPPLEMENTARY INFORMATION:** On May 13, 2008, the Department of Transportation published a final rule amending its Air Carrier Access Act (ACAA) rules to apply to foreign air carriers and adding new provisions concerning passengers who use medical oxygen and passengers who are deaf or hard-of-hearing. The rule, which applies to U.S. carriers wherever their operations take place and foreign air carriers with respect to their flights that begin or end at a U.S. airport, allows carriers to apply to the Department of Transportation (DOT or Department) for

a waiver from the requirements in the rule if a foreign legal requirement conflicts with a given provision of this rule. A carrier that submits a conflict of law waiver request on or before September 10, 2008, obtains a commitment from DOT not to take enforcement action related to the allegedly conflicting foreign law pending DOT's response to the waiver request.

The rule also permits U.S. and foreign carriers to apply to the Department for a determination on what the final rule calls an "equivalent alternative." A carrier that submits an application for an equivalent alternative determination on or before September 10, 2008, can implement its proposed equivalent alternative unless and until the Department disapproves it. However, a carrier that submits such an application after September 10, 2008, cannot use its proposed equivalent alternative unless and until the Department approves it.

The rule specifies that carriers must send conflict of law waiver requests or applications for equivalent alternative determinations to the Assistant General Counsel for Aviation Enforcement and Proceedings. It provides the following address for paper submissions of such requests/applications: Assistant General Counsel for Aviation Enforcement and Proceedings, C-70, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W96-322, Washington, DC 20590. It does not provide a mechanism for submitting the information electronically. The purpose of this notice is to inform airlines that they have the option of electronically submitting a conflict of law waiver request or an application for an equivalent alternative determination through FDMS as a substitute for paper submission. The Department believes that allowing carriers to submit the requested information through FDMS will make the process more efficient for carriers and will best ensure the timely receipt by the Office of the Assistant General Counsel for Aviation Enforcement and Proceedings (Aviation Enforcement Office) of the waiver requests and applications for equivalent alternative determinations. It should be noted that the filing of waiver requests or applications by mail is still permitted but this notice provides another mechanism for submitting such requests/applications.

#### Manner of Submitting a Conflict of Law Waiver Request and an Application for Equivalent Alternative Determination

##### Has a Public Docket Been Established?

DOT has established an official public docket for conflict of law waiver requests under docket identification (ID) number DOT-OST-2008-0272 and for applications for equivalent alternative determinations under docket identification ID DOT-OST-2008-0273. The official public docket will consist of the waiver requests or applications and other information related to those actions (e.g., approval or denial of requests/applications). Although a part of the official docket, the public docket is not intended to include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing.

##### How Do I Submit a Conflict of Law Waiver Request or an Application for Equivalent Alternative Determination Through the Electronic Public Docket in FDMS?

You may submit requests/applications electronically through FDMS by taking the following steps:

a. Go directly to [www.regulations.gov](http://www.regulations.gov) <<http://www.regulations.gov/>> and use the SEARCH DOCUMENTS field to input your docket number. Click the GO >> command to see your search results.

b. Click on the "Send a Comment or Submission" link (the yellow speech bubble should be available) after insuring that you have the correct docket. This can be verified by checking the DOCKET ID information.

c. You will now be sent to the PUBLIC COMMENT AND SUBMISSION FORM; here you will fill out submitter information, as well as attach any documents you wish to upload (note: you can have multiple submissions attached, the size limit is 10 megabytes). The only required field on this form is the GENERAL COMMENTS BOX. If uploading attachments you would first click "browse" to find the file you wish to attach, then click "add attachment" to attach the file to your comment.

d. After uploading any attachments and filling in the form, you will click the "NEXT STEP" button to go to the REVIEW COMMENT page; here you can double check the information you provided and verify that everything is correct before going to the final step.

e. Once you have clicked the SUBMIT button, you will be taken to the COMMENT SUBMITTED page, and given a receipt with a COMMENT TRACKING NUMBER. You will want to