

economic impact 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).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 2006—Area Navigation Routes*  
\* \* \* \* \*

##### T-270 OAY to SHH [New]

OAY NDB  
(Lat. 64°41'46"N., long. 162°03'46"W.)  
HEXOG WP  
(Lat. 65°28'25"N., long. 163°57'20"W.)  
SHH NDB  
(Lat. 66°15'29"N., long. 166°03'09"W.)  
\* \* \* \* \*

Issued in Washington, DC, April 4, 2005.

**Edith V. Parish,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 05–7250 Filed 4–8–05; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2005–20673; Airspace Docket No. 05–AEA–06]

#### Proposed Amendment to Class E Airspace; Newburgh, NY

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** this notice proposes to amend the Class E airspace area in the Newburgh, NY geographic area. The development of multiple area navigation (RNAV) Standard Instrument Approach

Procedures (SIAP) for numerous airports within the Newburgh, NY metropolitan area with approved Instrument Flight Rules (IFR) operations and the resulting overlap of designated Class E–5 airspace have made this proposal necessary. The proposal would consolidate the Class E–5 airspace designations for ten airports and result in the rescission of four separate Class E–5 descriptions through separate rulemaking action. The area would be depicted on aeronautical charts for pilot reference.

**DATES:** Comments must be received on or before May 11, 2005.

**ADDRESSES:** Send comments on the 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–P2005–20673/Airspace Docket No. 05–AEA–06 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 1–800–64–5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, Eastern Region, 1 Aviation Plaza, Jamaica, NY 11434–4809.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis T. Jordon, Jr., Airspace Specialist, Airspace Branch, AEA–520, Eastern Region, 1 Aviation Plaza, Jamaica, NY 11434–4809, telephone: (718) 553–4521

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting each 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, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number 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 Airspace Docket No. FAA–2005–20673/Airspace Docket No. 05–AEA–06.” The postcard will be date/time stamped and returned to the commenter.

#### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA’s Web page at <http://www.fas.gov> or the Superintendent of Documents Web page at <http://www.access.gpo.gov/nara>. Additionally, any person may obtain a copy of this notice by submitting a request to the Office of Air Traffic Airspace Management, ATA–400, 800 Independence Avenue, SW., Washington, DC 20591 or by calling (202) 267–8783. Communications must identify both the docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA’s Office of Rulemaking, (202) 267–9677 to request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend the Class E airspace within the Newburgh, NY geographic area. The proposal would consolidate the following airport Class E–5 airspace designations into the Newburgh, NY designation: Joseph Y. Resnick Airport (N89), Ellenville, NY; Sullivan County International Airport (MSV), Monticello, NY; Monticello Airport (N37), NY; Stewart International Airport (SWF), Newburgh, NY; Orange County Airport (MGJ), NY; Randall Airport (06N), NY; Dutchess County Airport (POU), Poughkeepsie, NY; Sky Acres Airport (44N), NY; Stormville Airport (N69), NY; Wurtsboro-Sullivan County Airport (N82), Wurtsboro, NY. This action would result in the rescission of four Class E–5 designations under a separate docket. The affected airspace would subsequently be incorporated into the Newburgh, NY description. The airspace will be defined to accommodate the approaches and contain IFR operations to and from those airports. This change would have no impact on aircraft operations since the type of airspace designation is not changing. Furthermore, the IFR approach procedures for the individual

airports within the area would not be affected. Class E airspace designations for airspace areas extending upward from 700 ft or more above the surface are published in Paragraph 6005 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, the proposed 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 would only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have significant economic impact on a substantial number of small entities under the criteria of the Regulation Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration purposes to amend 14 CFR Part 71 as follows:

#### PART 71 [AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 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 7400.9M, dated August 30, 2004, and effective September 16, 2004, is proposed to be amended as follows:

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

\* \* \* \* \*

#### AEA NY E5 Newburgh, NY (Revised)

That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at lat. 41°23'15" N., long. 74°43'13" W., to lat. 41°47'24" N., long. 75°03'06" W., to lat. 41°53'35" N., long.

74°51'10" W., to lat. 41°54'08" N., long. 73°30'07" W., to lat. 41°38'33" N., long. 73°26'39" W., to lat. 41°21'22" N., long. 73°44'39" W., to lat. 41°26'08" N., long. 73°52'54" W., to the point of beginning, excluding that portion that coincides with Danbury, CT Class E airspace area.

\* \* \* \* \*

Issued in Jamaica, New York, on March 28, 2005.

**John G. McCartney,**

*Acting Area Director, Eastern Terminal Operations.*

[FR Doc. 05–7189 Filed 4–8–05; 8:45 am]

**BILLING CODE 4910–13–M**

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Chapter II

#### Fiscal Year 2005 Program for Systematic Review of Commission Regulations; Request for Comments and Information

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of systematic review of current regulations.

**SUMMARY:** The Consumer Product Safety Commission (CPSC or Commission) announces its fiscal year 2005 program for systematic review of its current substantive regulations to ensure, to the maximum practical extent, consistency among them and with respect to accomplishing program goals. In fiscal year 2005, the following six regulations will be evaluated: safety standard for cigarette lighters, 16 CFR part 1210; safety standard for multi-purpose lighters, 16 CFR part 1212; requirements for bicycles, 16 CFR part 1512; standards for the surface flammability of carpets and rugs, 16 CFR parts 1630 and 1631; and child-resistant packaging requirements for controlled drugs, 16 CFR 1700.14(a)(4).

The primary purpose of the review is to assess the degree to which the regulations under review remain consistent with the Commission's program policies. In addition, each regulation will be examined with respect to the extent that it is current and relevant to CPSC program goals. Attention will also be given to whether the regulations can be streamlined, if possible, to minimize regulatory burdens, especially on small entities. To the degree consistent with other Commission priorities and subject to the availability of personnel and fiscal resources, specific regulatory or other projects may be undertaken in response to the results of the review.

The Commission solicits written comments from interested persons concerning the designated regulations' currentness and consistency with Commission policies and goals, and suggestions for streamlining where appropriate. In so doing, commenters are requested to specifically address how their suggestions for change could be accomplished within the various statutory frameworks for Commission action under the Consumer Product Safety Act (CPSA), 15 U.S.C. 2051–2084, Federal Hazardous Substances Act (FHSA), 15 U.S.C. 1261–1278, Flammable Fabrics Act (FFA), 15 U.S.C. 1191–1204; and Poison Prevention Packaging Act (PPPA), 15 U.S.C. 1471–1476.

**DATES:** Comments and submissions in response to this notice must be received by June 10, 2005.

**ADDRESSES:** Comments and other submissions should be captioned “Fiscal Year 2005 Regulatory Review Project” and be submitted by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov) or by facsimile to (301) 504–0127. Comments may also be submitted by mail to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office, Room 502, 4330 East-West Highway, Bethesda, Maryland 20814.

**FOR FURTHER INFORMATION CONTACT:** Scott Heh, Office of Hazard Identification and Reduction, U.S. Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504–7646; e-mail [shch@cpsc.gov](mailto:shch@cpsc.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. The Review Program

The President's Office of Management and Budget has designed the Program Assessment Rating Tool (PART) to provide a consistent approach to rating programs across the Federal government. A description of the PART process and associated program evaluation materials is available online at: [http://www.whitehouse.gov/omb/budintegration/part\\_assessing2004.html](http://www.whitehouse.gov/omb/budintegration/part_assessing2004.html).

Based on an evaluation of the Commission's regulatory programs using the PART, the recommendation was made that CPSC develop a plan to systematically review its current regulations to ensure consistency among them in accomplishing program goals. In FY 2004, the Commission conducted a pilot review program as the initial step in implementing that recommendation. The notice announcing the pilot program appeared in the **Federal Register** on January 28, 2004. 69 FR 4095. Based on the success of the pilot