

were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO, on June 3, 2004.

**Elizabeth S. Wallis,**

*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 04-13299 Filed 6-10-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-17421; Airspace Docket No. 04-ACE-22]

#### Modification of Class E Airspace; Chappell, NE

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at Chappell, NE.

**DATES:** *Effective Date:* 0901 UTC, August 5, 2004.

**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:** The FAA published this direct final rule with a request for comments in the **Federal Register** on April 26, 2004 (69 FR 22396.). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on August 5, 2004. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO, on June 3, 2004.

**Elizabeth S. Wallis,**

*Acting Manager, Air Traffic Division, Central Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-17912; Airspace Docket No. 04-ACE-38]

#### Modification of Class E Airspace; Wayne, NE

**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 Wayne, NE. One area navigation (RNAV) global positioning system (GPS) standard instrument approach procedure (SIAP) and three nondirectional radio beacon (NDB) SIAPs have been developed to serve Wayne Municipal Airport. Class E airspace extending upward from 700 feet above the surface at Wayne, NE does not adequately protect for diverse departures. The intended effect of this rule is to provide controlled airspace of appropriate dimensions to protect aircraft departing and executing SIAPs to Wayne Municipal Airport. It brings the Wayne, NE Class E airspace area and legal description 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 28, 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-2004-17912/ Airspace Docket No. 04-ACE-38, 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 Wayne, NE RNAV (GPS) RWY 22, ORIGINAL SIAP; NDB RWY 17, ORIGINAL SIAP; NDB RWY 22, ORIGINAL SIAP and NDB RWY 35, ORIGINAL SIAP have been developed to serve Wayne Municipal Airport. The dimensions of the Wayne, NE Class E airspace are modified to accommodate all SIAPs serving the airport and to provide adequate controlled airspace for diverse departures. The radius of the airspace area is increased from 6.5 to 7.5 miles. The current extension to the airspace area is totally contained within the expanded airspace radius and no other extensions are required. This action brings the airspace area and its legal description into compliance with FAA Order 7400.2E, Procedures for Handling Airspace Matters. The 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.