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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 1

[Docket No. FAA-2007-27160; Amendment No. 1-56]

RIN 2120-AI97

#### Changes to the Definition of Certain Light-Sport Aircraft

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

**ACTION:** Disposition of comments on direct final rule; confirmation of effective date.

**SUMMARY:** On April 19, 2007, the FAA published a Direct Final Rule to amend the definition of a light-sport aircraft (LSA) in two areas. The changes permit development of lighter-than-air (LTA) LSA, and allow retractable landing gear for LSA intended for operation on water.

**ADDRESSES:** The complete docket for the Direct Final Rule on the LSA definition may be examined through the Department of Transportation's Docket Management System at <http://www.dms.dot.gov>. Use the Simple Search selection and type in the docket number, 27160.

**FOR FURTHER INFORMATION CONTACT:** Larry Werth, ACE-114, Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 901 Locust, Room 301, Kansas City, MO 64106; telephone (816) 329-4147; fax: 816-329-4090; e-mail: [larry.werth@faa.gov](mailto:larry.werth@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 27, 2004, the FAA issued the "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft" final rule (69 FR 44772). That rule established a definition for the term

"Light-Sport Aircraft" (LSA). Since we adopted that rule, the FAA has been working with the LSA industry in evaluating the overall LSA program. The past two years have seen remarkable growth in the overall LSA program. Over 600 new factory-built airplanes, powered parachutes, and weight-shift control aircraft have received airworthiness certificates. The exceptions to this rapid growth are lighter-than-air (LTA) LSA and LSA intended for operation on water.

In the first area, the FAA determined the current LTA LSA maximum takeoff weight (MTW) of 660 pounds (300 kilograms) precluded the desired effect of industry design and development of safe LTA LSA. The Direct Final Rule increased the LTA MTW to 1,320 pounds. In the second area, the FAA determined the physical differences between LSA intended for operation on water (amphibious LSA) and land-based LSA justify allowing retractable landing gear for amphibious LSA.

The Direct Final Rule containing these changes were issued April 9, 2007, and was published on April 19, 2007 (72 FR 19661). The public comment period closed May 21, 2007.

#### Discussion of Comments

The FAA received two comments from individuals in response to the Direct Final Rule.

One commenter suggested the regulation be amended to restrict the use of LSA to only unpopulated areas. This rulemaking is limited to the definition of LSA and changing the areas where LSA may operate is clearly beyond the scope of the Direct Final Rule.

The other commenter fully supports the revised definition and recommended consideration of design changes to facilitate egress from LSA should they crash and submerge inverted. The FAA has determined that this comment has merit; however, it is also beyond the scope of this rulemaking.

Committee F37 of ASTM International (originally formed as the American Society for Testing and Materials) developed the LSA design consensus standards. We will share the commenter's design change recommendations with the LSA industry through Committee F37 which has an ongoing responsibility to

continually review LSA consensus standards.

#### Conclusion

After consideration of the comments submitted in response to the Direct Final Rule, the FAA has determined that no further rulemaking action is necessary. Amendment 1-56 remains in effect as adopted and is effective June 4, 2007.

Issued in Washington, DC, on June 4, 2007.

**John J. Hickey,**

*Director, Aircraft Certification Service.*

[FR Doc. 07-2835 Filed 6-7-07; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 158

[Docket No. FAA-2006-23730; Amendment No. 158-4]

RIN 2120-AI68

#### Passenger Facility Charge Program, Debt Service, Air Carrier Bankruptcy, and Miscellaneous Changes

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

**ACTION:** Final rule; correction.

**SUMMARY:** When the FAA issued a final rule which amended FAA regulations dealing with the Passenger Facility Charge (PFC) program to add more eligible uses for revenue, protect such revenue in bankruptcy proceedings, and eliminate charges to passengers on military charters, we erroneously stated a paragraph reference in the regulatory text. This correction removes the erroneous paragraph reference and replaces it with the correct paragraph reference.

**DATES:** This correction is effective June 22, 2007.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this final rule, contact Sheryl Scarborough, Airports Financial Analysis and Passenger Facility Charge Branch, APP-510, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8825; facsimile: (202) 267-5302; e-mail: [sheryl.scarborough@faa.gov](mailto:sheryl.scarborough@faa.gov). For legal questions concerning this final

rule, contact Beth Weir, Airports Law Branch, AGC-610, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-5880; facsimile: (202) 267-5769; e-mail: [beth.weir@faa.gov](mailto:beth.weir@faa.gov).

**SUPPLEMENTARY INFORMATION:**

On May 23, 2007, the FAA published the final rule, "Passenger Facility Charge Program, Debt Service, Air Carrier Bankruptcy, and Miscellaneous Changes." (72 FR 28837) In it, we revised section 158.53 to incorporate procedures that were established for the FAA to periodically review and set the air carrier collection compensation level. Upon review of the regulatory text on page 28851, first line, of this final rule, we discovered an incorrect paragraph reference in Section 158.53. This correction removes the incorrect paragraph reference and inserts the correct paragraph reference.

**Correction**

**PART 158—[AMENDED]**

■ In final rule FR Doc. FAA-2006-23730, published on May 23, 2007 (72 FR 28837), make the following correction:

**§ 158.53 [Corrected]**

■ On page 28851, in the first column, line one, remove the phrase "paragraph (b)(2) of this section will" and add in its place paragraph (c)(2) of this section will".

Issued in Washington, DC, on June 1, 2007.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking Aviation Safety.*

[FR Doc. 07-2836 Filed 6-7-07; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2006-25852; Airspace Docket No. 06-AAL-29]

**RIN 2120-AA66**

**Modification to the Norton Sound Low, Woody Island Low, Control 1234L and Control 1487L Offshore Airspace Areas; Alaska**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the following four Offshore Airspace Areas in Alaska: Norton Sound Low, Woody

Island Low, Control 1234L and Control 1487L. This action describes the airspace west of 160° W. longitude as it is currently depicted on aeronautical charts. Some of the existing controlled airspace is described as domestic Class E5 airspace around Kodiak, AK. This airspace instead will be listed within the Woody Island Low Offshore Airspace Area. The FAA is taking this action to provide additional controlled airspace for aircraft instrument flight rules (IFR) operations, and to correctly describe the existing offshore airspace areas in FAA Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006.

**EFFECTIVE DATE:** 0901 UTC, August 30, 2007. The Director of 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:** Ken McElroy, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

On Tuesday, March 13, 2007, the FAA published in the **Federal Register** a notice of proposed rulemaking to modify four Alaskan Offshore Airspace Areas: Norton Sound Low, Woody Island Low, Control 1234L and Control 1487L (72 FR 11305). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

These airspace areas are published in paragraph 6007 of FAA Order 7400.9P, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1. The Offshore Airspace Areas listed in this document will be published subsequently in the Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to modify the Norton Sound Low, Woody Island Low, and Control 1487L Offshore Airspace Areas, AK, by lowering the floor to 1,200 feet mean sea level (MSL) within a 45-mile radius of Hooper Bay Airport, within an 81.2-mile radius of Perryville Airport, within a 73-mile radius of Homer Airport, and within a 73-mile radius of St. Michael Airport. This action also modifies Control 1234L

Offshore Airspace Area, AK, by lowering the floor to 1,200 feet above the surface within an 81.2-mile radius of Perryville Airport, AK. Additionally, this action establishes controlled airspace to support IFR operations at the Hooper Bay, Perryville, Homer and St. Michael Airports, AK. Additionally, controlled airspace extending upward from the surface, from 700 feet above the surface, and from 1,200 feet above the surface, is established in Control 1234L Offshore Airspace Area. The following will correct an error in the Control 1234L Offshore Airspace description in FAAO 7400.9N. The Offshore Airspace Area Control 1234L begins at and extends west of 160°00'00" W. longitude. This airspace covers all the land west of this longitude including the Aleutian Island chain and the Pribilof Islands. Control 1234L Offshore Airspace around or near the Alaskan airports of Adak, Atka, Cold Bay, Dutch Harbor (Unalaska), Nelson Lagoon, Sand Point, Eareckson Air Station, St. George, Port Heiden, Homer, and Chignik, is being lowered from the current 2,000 feet AGL floor to incorporate Class E domestic airspace. This action is concurrent with Airspace Docket No. 06-AAL-34, revoking the domestic airspace descriptions for these airports. Additionally, the airspace description in FAA Order 7400.9P for Control 1234L referring to altitudes the airspace associated with Chignik Airport, AK, is amended to describe it from 1200 feet "above the surface." Additionally, some of the current Class E5 controlled airspace around Kodiak Airport, AK, will be listed within Woody Island Offshore Airspace in order to be correctly described.

Offshore Airspace Areas are published in paragraph 6007 of FAA Order 7400.9P, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1. The Offshore Airspace Areas listed in this document will be published subsequently in the Order.

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 Department of Transportation (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