

**DEPARTMENT OF TRANSPORTATION**  
**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2003-15409; Airspace  
 Docket No. 03-ASO-8]

**Amendment of Class D and E  
 Airspace; Montgomery, AL**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class D, E2, and E5 airspace at Montgomery, AL. As a result of an evaluation, it has been determined a modification should be made to the Montgomery, AL, Class D, E2, and E5 airspace areas to contain the VHF Omnidirectional Range (VOR)—A, Standard Instrument Approach Procedure (SIAP) to Montgomery Regional Airport—Dannelly Field. Additional surface area airspace and controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain the SIAP.  
**EFFECTIVE DATE:** 0901 UTC, October 30, 2003.

**FOR FURTHER INFORMATION CONTACT:** Walter R. Cochran, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

**SUPPLEMENTARY INFORMATION:**

**History**

On June 30, 2003, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by amending Class D, E2, and E5 airspace at Montgomery, AL, (68 FR 38651). This action provides adequate Class D, E2, and E5 airspace for IFR operations at Montgomery Regional Airport—Dannelly Field. Designations for Class D airspace areas extending upward from the surface of the earth and Class E airspace designations for airspace designated as surface areas and airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraphs 5000, 6002, and 6005 respectively, of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, which is incorporated by reference in 14 CFR part 71.1. The Class D and E designations listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No comments objecting to the proposal were received.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends Class D, E2, and E5 airspace at Montgomery, AL.

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. It, therefore, (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.

**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, 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 7400.9K, Airspace Designations and Reporting Points, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

**ASO AL D Montgomery, AL [REVISED]**

Montgomery Regional Airport—Dannelly Field, AL  
 (Lat. 32°18'02" N, long. 86°23'38" W)  
 Montgomery VORTAC  
 (Lat. 32°13'20" N, long. 86°19'11" W)

That airspace extending upward from the surface to and including 2,700 feet MSL within a 5-mile radius of Montgomery Regional Airport—Dannelly Field, and within 1 mile each side of the Montgomery VORTAC 318° radial extending from the 5-mile radius to 6 miles southeast of the airport; excluding that airspace north of a line 2.5 miles north of and parallel to RWY 10-28 at Montgomery Regional Airport—Dannelly Field and northeast of a line along the Montgomery VORTAC 320° radial. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6002 Class E airspace designated as surface areas*

\* \* \* \* \*

**ASO AL E2 Montgomery, AL [REVISED]**

Montgomery Regional Airport—Dannelly Field, AL  
 (Lat. 32°18'02" N, long. 86°23'38" W)  
 Montgomery VORTAC  
 (Lat. 32°13'20" N, long. 86°19'11" W)

Within a 5-mile radius of Montgomery Regional Airport—Dannelly Field, and within 1 mile each side of the Montgomery VORTAC 318° radial extending from the 5-mile radius to 6 miles southeast of the airport; excluding that airspace north of a line 2.5 miles north of and parallel to RWY 10-28 at Montgomery Regional Airport—Dannelly Field and northeast of a line along the Montgomery VORTAC 320° radial. This Class E airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6005 Class E airspace designated as surface areas.*

\* \* \* \* \*

**ASO AL E5 Montgomery, AL [REVISED]**

Montgomery Regional Airport—Dannelly Field, AL  
 (Lat 32°18'02" N, long. 86°23'38" W)  
 Montgomery VORTAC  
 (Lat 32°13'20" N, long. 86°19'11" W)  
 Maxwell AFB  
 (Lat 32°22'49" N, long. 86°21'54" W)  
 Autauga County Airport  
 (Lat 32°26'20" N, long. 86°30'38" W)  
 Wetumpka Municipal Airport  
 (Lat 32°31'46" N, long. 86°19'42" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Montgomery Regional Airport—Dannelly Field, and within 4 miles east and 8 miles west of the Montgomery VORTAC 138° radial extending from the 7-mile radius to 16 Miles southeast of the Montgomery VORTAC, and within a 7-mile radius of Maxwell AFB and within a 7-mile radius of Autauga County Airport and within a 6.3-mile radius of Wetumpka Municipal Airport.

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Issued in College Park, Georgia, on August 13, 2003.

**Walter R. Cochran,**  
Acting Manager, Air Traffic Division,  
Southern Region.

[FR Doc. 03-21323 Filed 8-19-03; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 121, 125, and 135**

[Docket No.: FAA-2003-15682; Amendment Nos. 121-288, 125-42, 135-84]

RIN 2120-AH89

**Digital Flight Data Recorder Requirements—Changes to Recording Specifications and Additional Exceptions; Correction**

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

**ACTION:** Final rule, correction.

**SUMMARY:** This document makes corrections to the final rule published in the **Federal Register** on July 18, 2003. This document makes some minor corrections and it also adds Parameter 15 to the document under parts 121 and 125, and changes the resolution in Parameter 15 by 0.1%.

**DATES:** This correction is effective August 18, 2003.

**FOR FURTHER INFORMATION CONTACT:** Gary Davis, Flight Standards Service, Air Transportation Division; telephone (202) 267-8166; facsimile (202) 267-5229; e-mail [gary.davis@faa.gov](mailto:gary.davis@faa.gov).

**Background**

In response to a series of recommendations issued by the National Transportation Safety Board (NTSB), the FAA revised and updated parts 121, 125 and 135 of Title 14, Code of Federal Regulations (14 CFR) in 1997 to require that flight data recorders on U.S. registered airplanes be upgraded to record additional parameters of data (62 FR 38362, July 17, 1997). The exact number of parameters required depends on the age of the airplane; airplanes manufactured after August 19, 2002, must record 88 parameters of flight data.

The final rule published on July 18, 2003 (68 FR 42932) amends the flight data recorder regulations by expanding the recording specifications of certain data parameters for specified airplanes, and by adding aircraft models to the lists of aircraft excepted from the 1997 regulations. In addition, this rule corrects specifications in an operating rule appendix that were inadvertently omitted in previous actions. These changes are necessary to allow the continued operation of certain aircraft that are unable to meet the existing recorder criteria using installed equipment. The changes are also necessary for certain aircraft for which the cost to retrofit under 1997 regulatory changes would be cost prohibitive.

**List of Subjects**

*14 CFR Part 121*

Air carriers, Aircraft, Aviation safety, Reporting and recordkeeping requirements, Safety, Transportation.

*14 CFR Part 125*

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

*14 CFR Part 135*

Air taxis, Aircraft, Aviation safety, Reporting and record keeping requirements.

**The Amendment**

■ In consideration of the foregoing, the Federal Aviation Administration corrects Chapter I of Title 14, Code of Federal Regulations as follows:

**Correction**

■ In the final rule “Digital Flight Data Recorder Requirements—Changes to Recording Specifications and Additional Exceptions” published in the **Federal Register** on July 18, 2003, FR Doc. No. 03-18269 (68 FR 42932) make the following correction:

1. On Page 42932, in the first column, in the document heading, correct “RIN 2120-AH81” to read “RIN 2120-AH89”.
2. On Page 42936, in the second column, in paragraph (2), line 9, correct the words “Jetstream 4100” to read “Jetstream 4100 Series,”.
3. On Page 42936, in the third column, in Amendment Number 4, line 2, correct “5, 9, 12a, 14a, 16,” to read “5, 9, 12a, 14a, 15, 16,”.
4. On Page 42937, in the second column, in paragraph (2), line 9, correct the words “Jetstream 4100” to read “Jetstream 4100 Series,”.
5. On Page 42937, in the third column, in Amendment Number 9, line 2, correct “5, 9, 12a, 14a, 16,” to read “5, 9, 12a, 14a, 15, 16,”.
6. In the charts on pages 42936 and 42938 after “14a” insert the following:

15. Pitch Control Surface(s) Position. <sup>6</sup>	Full Range .....	+/- 2° Unless Higher Accuracy Uniquely Required.	0.5 or 0.25 for airplanes operated under § 135.152(j).	0.3% of full range.	For airplanes fitted with multiple or split surfaces, a suitable combination of inputs is acceptable in lieu of recording each surface separately. The control surfaces may be sampled alternately to produce the sampling interval of 0.5 or 0.25.
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7. On page 42939, in the “Parameters” column, in 15, in the “Resolution” column, correct “0.2% of full range” to read “0.3% of full range.”

Issued in Washington, DC, on August 12, 2003.

**Donald P. Byrne,**  
Assistant Chief Counsel for Regulations.

[FR Doc. 03-21329 Filed 8-19-03; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 172**

[Docket No. 98F-0717]

**Food Additives Permitted for Direct Addition to Food for Human Consumption; Sucrose Oligoesters**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of sucrose oligoesters (sucrose esters of fatty acids with an average degree of esterification ranging from four to seven) as an emulsifier or stabilizer, at a level not to exceed 2.0 percent, in chocolate and in butter-substitute spreads. This action is in response to a petition filed by Mitsubishi Chemical Corp.