

develop on products identified in this rulemaking action.

### Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a “significant regulatory action” under Executive Order 12866, and

(2) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

## PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2023–06–11 Viking Air Limited (Type Certificate Previously Held by Bombardier Inc. and de Havilland Inc.):** Amendment 39–22397; Docket No. FAA–2022–0814; Project Identifier AD–2022–00205–A.

#### (a) Effective Date

This airworthiness directive (AD) is effective April 28, 2023.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Viking Air Limited (type certificate previously held by Bombardier Inc. and de Havilland Inc.) Model DHC–2 Mk. I airplanes, all serial numbers, certificated in any category, with Supplemental Type Certificate (STC) No. SA01324CH installed.

#### (d) Subject

Joint Aircraft System Component (JASC) Code 5711, Wing Spar.

#### (e) Unsafe Condition

This AD was prompted by a report of damage in the main wing spar. The FAA is issuing this AD to detect and address damage (drill starts, corrosion, cracks, and improperly installed fasteners) to the main structural members of the wing. This condition, if not addressed, could adversely affect the structural integrity of the airplane and result in loss of control of the airplane.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Required Actions

Within 12 months after the effective date of this AD, using a borescope, flashlight and mirror, or equivalent, visually inspect the aircraft structure under the installed doubler between wing stations 30.26 and 126.36 for drill starts, corrosion, cracks, and improperly installed fasteners. Pay particular attention to the spar cap, spar flange, and stringers, and include all structural items in the wing. If there is a drill start, any corrosion, a crack, or an improperly installed fastener, before further flight, repair using a method approved by the Manager, Chicago ACO Branch, FAA. For a repair method to be approved by the Manager, Chicago ACO Branch, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

**Note 1 to paragraph (g):** Wipaire, Inc., letter, dated September 7, 2021, provides additional information on this subject, including examples of damage.

#### (h) Reporting Requirement

If, during the inspection required by paragraph (g) of this AD, any damage is found, within 30 days after doing the inspection or within 30 days after the effective date of this AD, whichever occurs later, report the following information to the person identified in paragraph (k)(1) of this AD:

- (1) Name and address of owner.
- (2) Date of the inspection.
- (3) Name, address, telephone number, and email address of person submitting the report.
- (4) Airplane serial number, registration number, STC installation date, and total hours time-in-service on the airplane at the time of the inspection.
- (5) Description of damage. Include affected structure, location, dimensions, and photos of damage (or sketches, if photos are not possible).

#### (i) Special Flight Permit

Special flight permits are prohibited.

#### (j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Chicago ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the

certification office, send it to the attention of the person identified in paragraph (k)(1) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

#### (k) Related Information

(1) For more information about this AD, contact Tim Eichor, Aviation Safety Engineer, Chicago ACO Branch, FAA, 2300 E Devon Avenue, Des Plaines, IL 60018; phone: (847) 294–7141; email: [tim.d.eichor@faa.gov](mailto:tim.d.eichor@faa.gov).

(2) For service information identified in this AD that is not incorporated by reference, contact Wipaire, Inc., 1700 Henry Avenue, Fleming Field (KSGS), South St. Paul, MN 55075; phone: (651) 451–1205; fax: (651) 457–7858; email: [switte@wipaire.com](mailto:switte@wipaire.com); website: [wipaire.com](http://wipaire.com). You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110.

#### (l) Material Incorporated by Reference

None.

Issued on March 20, 2023.

**Christina Underwood,**  
*Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023–05987 Filed 3–23–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

[Docket No. FAA–2022–1561; Airspace Docket No. 22–ANM–58]

RIN 2120–AA66

### Establishment of Class E Airspace; Escalante Municipal Airport, Escalante, UT

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace extending upward from 700 feet above the surface at Escalante Municipal Airport, UT. This action will support the airport's transition from visual flight rules (VFR) to instrument flight rules (IFR).

**DATES:** Effective 0901 UTC, June 15, 2023. The Director of the Federal Register approves this incorporation by reference under Title 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11, Airspace Designations and Reporting Points, and publication of conforming amendments.

**ADDRESSES:** FAA Order JO 7400.11G, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231-3460.

**SUPPLEMENTARY INFORMATION:**

**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes 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 Class E airspace to support IFR operations at Escalante Municipal Airport, Escalante, UT.

**History**

The FAA published a notice of proposed rulemaking (NPRM) in the **Federal Register** for FAA-2022-1561 (87 FR 77540; December 19, 2022) to establish Class E airspace extending upward from 700 feet above the surface at Escalante Municipal Airport, UT, in support of the airport's transition from VFR to IFR. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

**Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

The FAA is amending 14 CFR part 71 by establishing Class E airspace beginning at 700 feet above the surface at Escalante Municipal Airport, UT. This airspace area will contain departing aircraft until reaching 1,200 feet above the surface, arriving aircraft below 1,500 feet above the surface, and circling maneuvers southwest of the airport. The proposed airspace is described in relation to the airport reference point and is approximately 7.5 nautical miles by 13.5 nautical miles in size to fully contain IFR operations at the airport.

The Class E5 airspace designation is published in paragraph 6005 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in FAA Order JO 7400.11, which is published annually and becomes effective on September 15.

**Regulatory Notices and Analyses**

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, is non-controversial, and unlikely to result in adverse or negative comments. 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, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

**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(f), 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 part 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**ANM UT E5 Escalante, UT [New]**

Escalante Municipal Airport, UT  
(Lat. 37°44'43" N, long. 111°34'13" W)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at a point on the 124° bearing, 7.3 miles from the airport, then to the 154° bearing at 7.2 miles, then to the 245° bearing at 5.6 miles, then to the 281° bearing at 8.6 miles, then to the 335° bearing at 7 miles, thence to the point of beginning.

\* \* \* \* \*

Issued in Des Moines, Washington, on March 16, 2023.

**B.G. Chew,**

*Group Manager, Operations Support Group,  
Western Service Center.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 95**

[Docket No. 31480; Amdt. No. 571]

**IFR Altitudes; Miscellaneous Amendments**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the