

[FR Doc. E8-29874 Filed 12-16-08; 8:45 am]
BILLING CODE 9111-97-C

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0836; Airspace
Docket No. 08-AEA-23]

Amendment of Class E Airspace; Butler, PA; Removal of Class E Airspace; East Butler, PA

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule; confirmation of
effective date.

SUMMARY: This action confirms the
effective date of a direct final rule
published in the **Federal Register** (73
FR 56470) that amends Class E Airspace
at Butler, PA to merge the existing Class
E Airspace listed under East Butler, PA,
and corrects a technical error to the
airport name by correctly listing the
Butler County Airport as Butler Co./K W
Scholter Field Airport.

DATES: Effective 0901 UTC, January 15,
2009. The Director of the Federal
Register approves this incorporation by
reference action under title 1, Code of
Federal Regulations, part 51, subject to
the annual revision of FAA Order
7400.9 and publication of conforming
amendments.

FOR FURTHER INFORMATION CONTACT:
Melinda Giddens, Operations Support
Group, Eastern Service Center, Federal
Aviation Administration, P.O. Box
20636, Atlanta, Georgia 30320;
telephone (404) 305-5610.

SUPPLEMENTARY INFORMATION:

Confirmation of Effective Date

The FAA published this direct final
rule with a request for comments in the
Federal Register on September 29, 2008
(73 FR 56470), Docket No. FAA-2008-
0836; Airspace Docket No. 08-AEA-23.
The FAA uses the direct final
rulemaking procedure for a non-
controversial rule where the FAA
believes 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 January 15,
2009. No adverse comments were

received, and thus this notice confirms
that effective date.

* * * * *

Issued in College Park, Georgia, on
November 28, 2008.

Barry A. Knight,

*Acting Manager, Operations Support Group,
Eastern Service Center, Air Traffic
Organization.*

[FR Doc. E8-29814 Filed 12-16-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0960; Airspace
Docket No. 08-ASW-17]

Establishment of Class D and Class E Airspace; Conroe, TX

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class
D airspace and Class E airspace at Lone
Star Executive Airport, Conroe, TX.
Establishment of an air traffic control
tower at Lone Star Executive Airport has
made this action necessary for the safety
of Instrument Flight Rule (IFR)
operations at the airport. Class D
airspace will revert to a Class E Surface
Area during periods when the control
tower is not operating. This action also
corrects the radials used to define the
airspace.

DATES: *Effective Date:* 0901 UTC, March
12, 2009. The Director of the 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:
Scott Enander, Central Service Center,
Operations Support Group, Federal
Aviation Administration, Southwest
Region, 2601 Meacham Blvd., Ft. Worth,
TX 76193-0530; telephone (817) 222-
5582.

SUPPLEMENTARY INFORMATION:

History

On October 7, 2008, the FAA
published in the **Federal Register** a
notice of proposed rulemaking to
establish Class D airspace and Class E
airspace at Conroe, TX (73 FR 58512,
Docket No. FAA-2008-0960). Interested
parties were invited to participate in
this rulemaking effort by submitting
written comments on the proposal to the
FAA. No comments were received.

Subsequent to publication, the FAA
found that a minor correction to the
radials defining the airspace was
needed. This action makes that
correction. With the exception of
editorial changes, and the changes
described above, this rule is the same as
that proposed in the NPRM. Class D
airspace designations are published in
paragraph 5000 of FAA Order 7400.9S
signed October 3, 2008, and effective
October 31, 2008, which is incorporated
by reference in 14 CFR part 71.1. Class
E Surface Area airspace designations are
published in paragraph 6002 of FAA
Order 7400.9S signed October 3, 2008,
and effective October 31, 2008, which is
incorporated by reference in 14 CFR
part 71.1. The Class D airspace and
Class E airspace designations listed in
this document will be published
subsequently in that Order.

The Rule

This action amends Title 14 Code of
Federal Regulations (14 CFR) part 71 by
establishing Class D airspace and Class
E Surface Area airspace extending
upward from the surface to and
including 2,700 feet MSL within a 4.1-
mile radius of Lone Star Executive
Airport, excluding that airspace within
the 4.1-mile radius north and east of the
intersection of the IAH 357° radial and
the TNV 083° radial.

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 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.

The FAA's authority to issue rules
regarding aviation safety is found in
Title 49 of the U.S. 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