

because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 this proposed regulation:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) 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 Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 AD:

**Slingsby Aviation Ltd.:** Docket No. FAA–2013–0997; Directorate Identifier 2013–CE–044–AD.

### (a) Comments Due Date

We must receive comments by January 6, 2014.

### (b) Affected ADs

None.

### (c) Applicability

This AD applies to Slingsby Aviation Ltd. Model T67M260 airplanes, all serial numbers, certificated in any category.

### (d) Subject

Air Transport Association of America (ATA) Code 55: Stabilizers.

### (e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as cracked horizontal stabilizer attachment brackets. We are issuing this AD to prevent separation of the horizontal stabilizer, which could result in loss of control.

### (f) Actions and Compliance

Unless already done, do the actions specified in paragraphs (f)(1) through (f)(4) of this AD:

(1) Within the next 150 hours time-in-service (TIS) after the effective date of this AD or at the next annual inspection after the effective date of this AD, whichever occurs later, and repetitively thereafter at intervals not to exceed 150 hours TIS, inspect the aluminum horizontal stabilizer attachment brackets for cracks. Do the inspections following the ACTION instructions in Slingsby Advanced Composites Ltd. Service Bulletin S.B. No: 179, Issue 4, dated March 15, 2007.

(2) If, during any inspection required in paragraph (f)(1) of this AD, any cracks are found, before further flight, replace the cracked bracket with a serviceable part. Do the replacement following the ACTION instructions in Slingsby Advanced Composites Ltd. Service Bulletin S.B. No: 179, Issue 4, dated March 15, 2007. If a serviceable aluminum horizontal stabilizer attachment bracket is used as a replacement part, repetitively inspect as specified in paragraph (f)(1) of this AD.

(3) To terminate the repetitive inspections required in paragraph (f)(1) of this AD, all four aluminum horizontal stabilizer attachment brackets must be replaced with titanium horizontal stabilizer attachment brackets.

(4) After installing titanium horizontal stabilizer attachment brackets, installing aluminum horizontal stabilizer attachment brackets are prohibited.

### (g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090; email: [mike.kiesov@faa.gov](mailto:mike.kiesov@faa.gov). Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required

to assure the product is airworthy before it is returned to service.

(3) **Reporting Requirements:** For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

### (h) Related Information

Refer to European Aviation Safety Agency (EASA) AD No. 2012–0169, dated August 31, 2012, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA–2013–0997. For service information related to this AD, contact Slingsby Advanced Composites, Ings Lane, Kirbymoorside, York, YO62 6EZ, United Kingdom, telephone: +44 (0) 1751 432474; fax +44 (0) 1751 433016, Internet: [www.marshall-slingsby.com](http://www.marshall-slingsby.com). You may review this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Missouri, on November 15, 2013.

**Earl Lawrence,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–27919 Filed 11–20–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

[Docket No. FAA–2013–0921; Airspace Docket No. 13–AAL–4]

### Proposed Modification of Class E Airspace; Sitka, AK

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify Class E airspace at Sitka, AK, to

accommodate aircraft departing and arriving under Instrument Flight Rules (IFR) at Sitka Rocky Gutierrez Airport. The FAA is proposing this action to enhance the safety and management of aircraft operations at the airport.

**DATES:** Comments must be received on or before January 6, 2014.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-9826. You must identify FAA Docket No. FAA-2013-0921; Airspace Docket No. 13-AAL-4, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4517.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2013-0921 and Airspace Docket No. 13-AAL-4) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2013-0921 and Airspace Docket No. 13-AAL-4". The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will

be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM's**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying Class E surface area airspace and Class E airspace extending upward from 700 feet above the surface at Sitka Rocky Gutierrez, AK. After review of the airspace, the FAA's Western Terminal Products Office found modification of the airspace necessary for the safety and management of aircraft departing and arriving under IFR operations at the airport. The segment of Class E surface area airspace southwest of the 4.1-mile radius of the airport would be modified to 10 miles southwest of the airport. The segment of Class E airspace extending upward from 700 feet above the surface southwest of the 6.6-mile radius of the airport would be modified to 14 miles southwest of the airport, and the segment northwest of the 6.6-mile radius of the airport would be modified to 29 miles northwest of the airport. The segments of controlled airspace west and southwest of the airport would be removed as they are no longer required

for aircraft arriving and departing under IFR operations. This would enhance the safety and management of aircraft operations at the airport.

Class E airspace designations are published in paragraphs 6002 and 6005, respectively, of FAA Order 7400.9X, dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 this proposed 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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority for 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 the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This proposed regulation is within the scope of that authority as it would modify controlled airspace at Sitka Rocky Gutierrez Airport, Sitka, AK.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

## The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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(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 the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

*Paragraph 6002 Class E airspace Designated as Surface Areas.*

\* \* \* \* \*

#### AAL AK E2 Sitka, AK [Modified]

Sitka Rocky Gutierrez Airport, AK  
(Lat. 57°02'50" N., long. 135°21'42" W.)

Within a 4.1 mile radius of Sitka Rocky Gutierrez Airport, and within 3.5 miles each side of the airport 209° radial extending from the 4.1-mile radius to 10.5 miles southwest of the airport, and within 3 miles each side of the airport 313° radial extending from the 4.1-mile radius to 11.1 miles northwest of the airport. This Class E airspace is effective during the dates 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, Alaska Supplement.

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AAL AK E5 Sitka, AK [Modified]

Sitka Rocky Gutierrez Airport, AK  
(Lat. 57°02'50" N., long. 135°21'42" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Sitka Rocky Gutierrez Airport, and within 4 miles each side of the airport 209° radial extending from the 6.6-mile radius to 14.5 miles south of the airport, and within 4 miles east and 8 miles west of the airport 313° radial extending from the 6.6-mile radius to 29 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within a 40-mile radius of lat. 56°51'34" N., long. 135°33'05" W.; and that airspace extending upward from 5,500 feet MSL within an 85-mile radius of lat. 56°51'34" N., long. 135°33'05" W.; excluding that airspace that extends beyond 12 miles from the coast.

Issued in Seattle, Washington, on November 13, 2013.

**Clark Desing,**

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

[FR Doc. 2013–27858 Filed 11–20–13; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Chapter I

[Docket No. FAA–2013–0988]

### Policy and Procedures Concerning the Use of Airport Revenue; Proceeds From Taxes on Aviation Fuel

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

**ACTION:** Notice of Proposed Clarification of Policy; Request for Comments.

**SUMMARY:** This action proposes to amend the Federal Aviation Administration (“FAA”) Policy and Procedures Concerning the Use of Airport Revenue published in the **Federal Register** on February 16, 1999 (“Revenue Use Policy”) to clarify FAA’s policy on Federal requirements for the use of proceeds from taxes on aviation fuel. Under Federal law, airport operators that have accepted Federal assistance generally may use airport revenues only for airport-related purposes. The revenue use requirements apply to certain state and local government taxes on aviation fuel as well as to revenues received directly by an airport operator. This notice publishes a proposed clarification of FAA’s understanding of the Federal requirements for use of revenues derived from taxes on aviation fuel. Briefly, an airport operator or state government submitting an application under the Airport Improvement Program must provide assurance that revenues from state and local government taxes on aviation fuel are used for certain aviation-related purposes. These purposes include airport capital and operating costs, and state aviation programs. In view of the interests of sellers and consumers of aviation fuel, and of state and local government taxing authorities in limits on use of proceeds from taxes touching aviation fuel, this notice solicits public comment on the proposed policy clarification. This notice also solicits comments about whether there are other reasonable interpretations regarding local taxes that are not enumerated here and should be considered by the FAA. Finally, this proposed policy clarification, if

finalized, would apply prospectively to use of proceeds from both new taxes and to existing taxes that do not qualify for grandfathering from revenue use requirements.

**DATES:** Comments must be received by January 21, 2014. Comments that are received after that date will be considered only to the extent possible.

**ADDRESSES:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may also send written comments by any of the following methods.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically. Docket Number: FAA 2013–0988.

- **Mail:** Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- **Hand Delivery:** Deliver to mail address above between 9:00 a.m. and 5 p.m. EST, Monday through Friday, except Federal holidays.

- **Fax:** (202) 493–2251.

Identify all transmissions with “Docket Number FAA 2013–0988” at the beginning of the document.

**FOR FURTHER INFORMATION CONTACT:** Randall S. Fiertz, Director, Office of Airport Compliance and Management Analysis, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267–3085; facsimile (202) 267–5257.

#### SUPPLEMENTARY INFORMATION:

#### Authority for the Proposed Policy Clarification

This notice is published under the authority described in Subtitle VII, part B, chapter 471, section 47122, and the Federal Aviation Administration Authorization Act of 1994, section 112(a), Public Law 103–305, 49 U.S.C. 47107(l)(1) (Aug. 23, 1994).

#### Background

The Airport and Airway Improvement Act of 1982, now codified at 49 U.S.C. 47101 *et seq.* (AAIA), establishes the Airport Improvement Program (AIP) for awarding Federal grants to airports in the United States. The AAIA requires that an airport sponsor accepting a grant under the AIP give assurances that any revenues received by the airport will be used for the capital and operating