

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2009-1014; **Airspace**
Docket No. 09-ANM-10]

Amendment of Class E Airspace; Rifle, CO

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Final rule.

SUMMARY: This action will establish Class E airspace at Rifle, CO. Additional controlled airspace is necessary to accommodate aircraft executing new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) at Garfield County Regional Airport. This will improve the safety of Instrument Flight Rules (IFR) operations at the airport. This action also changes the airport name in the existing Class E airspace description.

DATES: Effective date 0901 UTC, June 3, 2010. 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: Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4537.

SUPPLEMENTARY INFORMATION:**History**

On November 27, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish additional controlled airspace at Rifle, CO (74 FR 62259). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received in support of the proposed Class E-2 Airspace.

Class E airspace designations are published in paragraph 6002 and 6005, respectively, of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR part 71.1. The 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

amending the Class E airspace for the Rifle, CO, area, by establishing surface airspace to accommodate IFR aircraft executing a new RNAV (GPS) approach procedure at Garfield County Regional Airport, Rifle, CO. This action is necessary for the safety and management of IFR operations at the airport. This will also change the airport name from Garfield County Airport to Garfield County Regional Airport.

The FAA has determined 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 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 1, Section 106 discusses 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 additional controlled airspace at Garfield County Regional Airport, Rifle, CO.

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(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 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

Paragraph 6002. Class E airspace designated as surface areas.

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ANM CO E2 Rifle, CO [New]

Garfield County Regional Airport, Rifle, CO (Lat. 39°31'35" N., long. 107°43'37" W.)

Within a 4.1-mile radius of Garfield County Regional Airport, and within 1 mile each side of the 093° bearing extending from the 4.1-mile radius to 5.5 miles east of the Garfield County Regional Airport. This Class E airspace area is effective during the specific 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.

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

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ANM CO E5 Rifle, CO [Amended]

Garfield County Regional Airport, Rifle, CO (Lat. 39°31'35" N., long. 107°43'37" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Garfield County Regional Airport, and within 4.3 miles each side of the 090° bearing from the airport, extending from the 7-mile radius to 18.3 miles east of the airport, and within 4.5 miles each side of the 321° bearing from the airport, extending from the 7-mile radius to 14.5 miles northwest of the airport.

Issued in Seattle, Washington, on March 31, 2010.

Robert E. Henry,

Acting Manager, Operations Support Group, Western Service Center.

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OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**29 CFR Parts 2200, 2203, and 2204****Rules of Procedure; Regulations Implementing the Government in the Sunshine Act; Implementation of the Equal Access to Justice Act in Proceedings Before the Occupational Safety and Health Review Commission; Correction**

AGENCY: Occupational Safety and Health Review Commission.

ACTION: Final rule; correction.