

Aviation Programs” describes in more detail the scope of the Agency’s authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: “General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or 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,
- (2) Is not a “significant rule” under 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.

### Adoption of 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 (AD):

**2011–21–17 General Electric Company:**  
Amendment 39–16840; Docket No. FAA–2011–0942; Directorate Identifier 2011–NE–29–AD.

#### (a) Effective Date

This AD is effective November 17, 2011.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to General Electric Company (GE) CT7–8A, CT7–8A1, CT7–8E, and CT7–8F5 turboshaft engines, with fuel filter differential pressure switch, part number (P/N) TD028VF0H7Y5 (part of fuel filter assembly, P/N 4110T53P06), installed.

#### (d) Unsafe Condition

This AD was prompted by reports of 47 fuel filter differential pressure switches found with stress-corrosion cracking of the mounting flanges. We are issuing this AD to prevent unrecoverable in-flight engine shutdown, engine bay fire due to fuel leakage, and forced landing or accident.

#### (e) Compliance

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

(1) Starting on the effective date of this AD, perform daily visual inspections of the fuel filter differential pressure switch for leaks and excessive cracking of the mounting flanges.

(2) Visually inspect in accordance with paragraph 3, Accomplishment Instructions, of GE Alert Service Bulletin (ASB) No. CT7–8–S/B 73–A0007, dated July 8, 2011.

#### (f) Mandatory Terminating Action

(1) As mandatory terminating action to the daily visual inspections, within 4 months after the effective date of this AD, install collar kit, P/N 59TC02800K1T, over the fuel filter differential pressure switch.

(2) Install the collar kit in accordance with paragraph 3, Accomplishment Instructions of GE ASB No. CT7–8–S/B 73–A0008, dated August 17, 2011.

#### (g) Special Flight Permits

Special flight permits are prohibited.

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

The Manager, Engine Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

#### (i) Related Information

For more information about this AD, contact Walter Meibaum, Aerospace Engineer, Engine & Propeller Directorate, FAA, 12 New England Executive Park, Burlington, MA 01803; *phone:* (781) 238–7119; *fax:* (781) 238–7199; *email:* walter.meibaum@faa.gov.

#### (j) Material Incorporated by Reference

You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) under 5 U.S.C. 552(a) and 1 CFR part 51 of the following service information on the date specified:

(1) General Electric Company Alert Service Bulletin No. CT7–8–S/B 73–A0007, dated July 8, 2011, approved for IBR as of November 17, 2011.

(2) General Electric Company Alert Service Bulletin No. CT7–8–S/B 73–A0008, dated August 17, 2011, approved for IBR as of November 17, 2011.

(3) For service information identified in this AD, contact GE-Aviation, M/D Rm. 285, One Neumann Way, Cincinnati, OH 45215, *phone:* (513) 552–3272; *email:* geae.aoc@ge.com.

(4) You may review copies of the service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call (781) 238–7125.

(5) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at an NARA facility, call (202) 741–6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Burlington, Massachusetts, on October 4, 2011.

**Peter A. White,**

*Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2011–28353 Filed 11–1–11; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2011–0431; Airspace Docket No. 11–AGL–11]

#### Amendment of Class E Airspace; Spearfish, SD

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace at Spearfish, SD, to accommodate new Area Navigation (RNAV) Standard Instrument Approach Procedures at Black Hills Airport—Clyde Ice Field, and updates the geographic coordinates of the airport. There also is a minor correction to the coordinates of controlled airspace 1,200 feet above the surface, and a minor change in the airport name. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at the airport.

**DATES:** *Effective date:* 0901 UTC, February 9, 2012. 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., Fort Worth, TX 76137; telephone (817) 321-7716.

**SUPPLEMENTARY INFORMATION:**

**History**

On July 21, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace for Spearfish, SD, creating additional controlled airspace at Black Hills Airport—Clyde Ice Field (76 FR 43610) Docket No. FAA-2011-0431. 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, errors were found in the boundaries of the controlled airspace extending upward from 1,200 feet above the surface. This rule makes the corrections to be in concert with the FAA's aeronautical database. Also, there is a minor correction to the airport name.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class E airspace extending upward from 700 feet above the surface to accommodate new standard instrument approach procedures at Black Hills Airport—Clyde Ice Field, Spearfish, SD. This action is necessary for the safety and management of IFR operations at the airport. This action also corrects the geographic coordinates of the airport, as well as the first boundary coordinates listed in the regulatory text of the airspace extending upward from 1,200 feet above the surface. Also, the airport name is changed from Black Hills—Clyde Ice Field, to Black Hills Airport—Clyde Ice Field. With the exception of editorial changes and the changes described above, this action is the same as that proposed in the NPRM.

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 1, 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 amends controlled airspace at Black Hills Airport—Clyde Ice Field, Spearfish, SD.

**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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011, is amended as follows:

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

\* \* \* \* \*

**AGL SD E5 Spearfish, SD [Amended]**

Black Hills Airport-Clyde Ice Field, SD  
(Lat. 44°28'52" N., long. 103°47'09" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Black Hills Airport-Clyde Ice Field, and within 2.1 miles each side of the 305° bearing from the airport extending from the 7-mile radius to 8.3 miles northwest of the airport, and within 2 miles each side of the 135° bearing from the airport extending from the 7-mile radius to 18.3 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at lat. 44°29'16" N., long. 103°56'55" W.; to lat. 44°13'37" N., long. 104°14'00" W.; to lat. 44°18'41" N., long. 104°23'24" W.; to lat. 44°44'11" N., long. 103°57'49" W.; to lat. 44°50'13" N., long. 103°28'11" W.; to lat. 44°47'27" N., long. 102°57'40" W.; to lat. 44°39'31" N., long. 102°56'34" W.; to lat. 44°38'27" N., long. 103°12'26" W.; to lat. 44°25'51" N., long. 103°37'45" W.; to lat. 44°25'58" N., long. 103°38'15" W.; thence clockwise via the 7-mile radius of the airport to the point of beginning.

Issued in Fort Worth, Texas, on October 11, 2011.

**David P. Medina,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. 2011-28289 Filed 11-1-11; 8:45 am]

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**SECURITIES AND EXCHANGE COMMISSION**

**17 CFR Part 200**

**[Release No. 34-65628]**

**Technical Amendment to Delegation of Authority to the Director of the Division of Trading and Markets**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Securities and Exchange Commission ("Commission") is making a technical amendment to the rule that delegates authority to the Director of the Division of Trading and Markets to grant exemptions upon specified terms, conditions, and periods to persons subject to Rule 17f-2 under the Securities Exchange Act of 1934 ("Exchange Act").

**DATES:** *Effective Date:* November 2, 2011.

**FOR FURTHER INFORMATION CONTACT:** Jerry W. Carpenter, Assistant Director, or