

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2010-0322; Airspace Docket No. 10-ANE-105]

#### Establishment of Class E Airspace; Colebrook, NH

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

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

**SUMMARY:** This action withdraws the NPRM published in the **Federal Register** on July 19, 2010, which proposed to establish Class E airspace at Upper Valley Connecticut Hospital, Colebrook, NH. The NPRM is being withdrawn as a portion of the proposed airspace already exists. A new rulemaking will be forthcoming to correctly establish the new airspace.

**DATES:** Effective 901 UTC, October 26, 2010.

**FOR FURTHER INFORMATION CONTACT:** Richard Horrocks, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5588.

#### SUPPLEMENTARY INFORMATION:

#### History

On July 19, 2010, a NPRM was published in the **Federal Register** to establish Class E airspace at Colebrook, NH to accommodate special standard instrument approach procedures for Upper Valley Connecticut Hospital (74 FR 41772) Docket No.-2010-0322. After publication, the FAA found that the airspace description in the proposed rule incorrectly included existing controlled airspace 1,200 feet above the surface. To avoid confusion, this proposed rule is being withdrawn and will be established under another rulemaking.

#### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

#### The Withdrawal

Accordingly, pursuant to the authority delegated to me, the Notice of Proposed Rulemaking, Airspace Docket No. 10-ANE-105, as published in the **Federal Register** on July 19, 2010 (75 FR 41772), is hereby withdrawn.

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in College Park, Georgia, on October 15, 2010.

Mark D. Ward,

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

[FR Doc. 2010-26944 Filed 10-25-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2010-0921; Airspace Docket No. 10-ASO-33]

#### Proposed Amendment and Revocation of Class E Airspace, Vero Beach, FL

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

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

**SUMMARY:** This action proposes to amend Class E surface airspace, and airspace extending upward from 700 feet above the surface, and remove Class E airspace designated as an extension to Class D surface area at Vero Beach Municipal Airport, Vero Beach, FL. The Vero Beach Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approach Procedures (SIAPs) have been developed for the airport. This action would enhance the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** 0901 UTC. Comments must be received on or before December 10, 2010.

**ADDRESSES:** Send comments on this rule to: U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Ave., SE., Washington, DC

20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2010-0921; Airspace Docket No. 10-ASO-33, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

#### 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:

#### Comments Invited

Interested persons are invited to comment on this rule 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-2010-0921; Airspace Docket No. 10-ASO-33) 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 Docket No. FAA-2010-0921; Airspace Docket No. 10-ASO-33." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

## Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <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 address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

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

## The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class E airspace designated as surface area to remove any reference to the decommissioned Vero Beach NDB at Vero Beach Municipal Airport, Vero Beach, FL. This action would also add additional controlled Class E airspace extending upward from 700 feet above the surface to accommodate new SIAPs at the airport, and would remove Class E airspace designated as an extension to Class D surface area to eliminate controlled airspace not required for the new SIAPs developed for Vero Beach Municipal Airport. Class E airspace designated as surface areas, Class E airspace areas designated as an extension to a Class D surface area, and Class E airspace areas extending upward from 700 feet above the surface of the earth are published in Paragraph 6002, 6004, and 6005, respectively, of FAA order 7400.9U, dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and

routine amendments are necessary to keep them operationally current. 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 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 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 proposed 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 proposed regulation is within the scope of that authority as it would amend Class E airspace at Vero Beach Municipal Airport, Vero Beach, FL.

## Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

## The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, B, C, D, AND CLASS E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 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 Federal Aviation Administration Order 7400.9U, Airspace Designations and Reporting Points, signed August 18, 2010, effective September 15, 2010, is amended as follows:

#### Paragraph 6002 Class E Airspace Designated as Surface Areas.

\* \* \* \* \*

#### ASO FL E2 Vero Beach, FL [AMENDED]

Vero Beach Municipal Airport, FL  
(Lat. 27°39'20" N., long. 80°25'05" W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.2 mile radius of the Vero Beach Municipal 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.

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#### Class E Airspace Areas Designated as an Extension to a Class D Surface Area.

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#### ASO FL E4 Vero Beach, FL [REMOVE]

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

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#### ASO FL E5 Vero Beach, FL [AMEND]

Vero Beach Municipal Airport, FL  
(Lat. 27°39'20" N., long. 80°25'05" W.)

Vero Beach VORTAC  
(Lat. 27°40'42" N., long. 80°29'23" W.)  
St. Lucie County International Airport, FL  
(Lat. 27°29'42" N., long. 80°22'06" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of the Vero Beach Airport and within 4 miles north and 8 miles south of the Vero Beach VORTAC 296° radial, extending from the 6.7-mile radius to 16 miles northwest of the VORTAC and within a 7-mile radius of St. Lucie County International Airport.

Issued in College Park, Georgia, on October 12, 2010.

**Mark D. Ward,**

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

[FR Doc. 2010-26954 Filed 10-25-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2010-0919; Airspace Docket No. 10-ANM-11]

#### Proposed Amendment to Class E Airspace; Rawlins, WY

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

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

**SUMMARY:** This action proposes to modify Class E airspace at Rawlins, WY. Decommissioning of the Sinclair