

## History

On November 25, 2002 a notice proposing to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by providing additional Class D airspace extending two miles along the southeast and northwest localizer courses for Westchester County Airport up to but not including 3,000 feet mean sea level (MSL) was published in the **Federal Register** (67 FR 70564–70565). Interested parties were invited to participate in this rulemaking proceedings by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed. The coordinates for this airspace document are based on North American Datum 83. Class D airspace area designations for airspace extending upward from the surface are published in paragraph 5000 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002. The Class D airspace designation listed in this document will be published in the order.

## The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) extends Class D airspace from the surface of the earth up to but not including 3,000 feet MSL an additional two miles along the southeast and northwest localizer courses for Westchester County Airport, White Plains, NY. The extension of Class D airspace will provide coverage for aircraft conducting IFR operations to the airport.

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 will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## 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—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

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

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9K, Airspace Designations and Reporting Points, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

*Paragraph 5000 Class D airspace areas extending upward from the surface of the earth.*

\* \* \* \* \*

### AEA NY D White Plains, NY [Revised]

Westchester County airport, White Plains, NY

(lat. 41°04′01″ N., long. 73°42′27″ W.)  
Westchester County ILS Localizer Northwest  
(lat. 41°03′27″ N., long. 73°41′58″ W.)  
Westchester County ILS Localizer Southeast  
(lat. 41°04′37″ N., long. 73°42′52″ W.)

That airspace extending upward from the surface to but not including 3,000 feet MSL within a 4.1-mile radius of Westchester County Airport and within 1.5 miles each side of the Westchester County ILS northwest localizer course extending from the 4.1-mile radius to 6.1 miles northwest of the airport and within 1.5 miles each side of the Westchester County ILS southeast localizer course extending from the 4.1-mile radius to 6.1 miles southeast of the airport. This Class D airspace is effective during 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 Director.

\* \* \* \* \*

Dated: Issued in Jamaica, New York on January 8, 2003,

**Richard J. Ducharme,**

*Assistant Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 03–1011 Filed 1–15–03; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 02–ACE–11]

#### Amendment to Class E Airspace; Ulysses, KS

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at Ulysses, KS.

**EFFECTIVE DATE:** 0901 UTC, February 20, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2525.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on November 13, 2002 (67 FR 68757). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that 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 February 20, 2003. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO, on December 23, 2002.

**Paul J. Sheridan,**

*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 03–921 Filed 1–15–03; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2002–13996; Airspace Docket No. 02–AEA–21]

#### Establishment of Class E Airspace; Lock Haven, PA

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Lock Haven, PA. Controlled airspace extending upward from 700 feet above ground level (AGL) is needed to contain aircraft operating into William T. Piper Memorial Airport, Lock Haven, PA under Instrument Flight Rules (IFR).

**EFFECTIVE DATE:** 0901 UTC April 17, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809, telephone: (718) 553-4521.

**SUPPLEMENTARY INFORMATION:**

**History**

On November 25, 2002, a notice proposing to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E airspace extending upward from 700 feet above the surface within a 9.6-mile radius of William T. Piper Memorial Airport, Lock Haven, PA was published in the **Federal Register** (67 FR 70566). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA on or before December 26, 2002. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace area designations for airspace extending upward from the surface of the earth are published in paragraph 6005 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, which is incorporated by reference in 14 CFR 71.1 The Class E airspace designation listed in this document will be published in the Order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) provides controlled Class E airspace extending upward from 700 feet above the surface for aircraft conducting IFR operations within a 9.6-mile radius of William T. Piper Memorial Airport, Lock Haven, PA.

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 will not have significant economic impact on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

**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—[AMENDED]**

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]**

The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9K, Airspace Designations and Reporting Points, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

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

\* \* \* \* \*

**AEA PA E5, Lock Haven, PA [New]**

William T. Piper Memorial Airport, PA (Lat. 41°08'09"N., long. 77°25'24"W.)

That airspace extending upward from 700 feet above the surface within a 9.6-mile radius of William T. Piper Memorial Airport, Lock Haven, PA.

\* \* \* \* \*

Issued in Jamaica, New York on January 8, 2003.

**Richard J. Ducharme,**

*Assistant Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 03–1012 Filed 1–15–03; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA–2002–13413; Airspace Docket No. 02–ACE–6]**

**Realignment of Federal Airways V–72 and V–289; MO**

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

**ACTION:** Final rule.

**SUMMARY:** This action realigns Federal Airways 72 (V–72) and V–289 northeast of the Dogwood, MO, Very High Frequency Omnidirectional Range/ Tactical Air Navigation (VORTAC) so

that aircraft may operate on the airways without encroaching on the newly modified Cannon A Military Operations Areas (MOA). The FAA is taking this action to enhance safety and the management of aircraft operations in the Dogwood, MO, area.

**EFFECTIVE DATE:** 0901 UTC, March 20, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Steve Rohring, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 3, 2002, the lateral boundaries of the Cannon A MOA were modified and the ceiling of the Cannon A MOA was raised from 5,000 feet above mean sea level up to but not including Flight Level 180. The MOA modification rendered portions of V–72 and V–289 unusable. Currently, V–289 passes through the lateral limits of the Cannon A MOA and V–72 is located immediately to the south of the Cannon A MOA at a distance that does not provide the air traffic control required separation from the MOA when the area is active. This action will allow the use of V–72 and V–289 when the Cannon A MOA is active and will enhance safety and the management of aircraft operations in the Dogwood, MO, area.

**The Rule**

This amendment to 14 CFR part 71 realigns a segment of V–72, northeast of the Dogwood, MO, VORTAC, clockwise by one degree and realigns V–289 to coincide with V–72 for 19 nautical miles (NM) northeast of the Dogwood, MO, VORTAC before proceeding directly to the Vichy, MO, VORTAC. This realignment will allow for the use of V–72 and V–289 when the Cannon A MOA is active and will enhance the safety and management of aircraft operations in the Dogwood, MO, area. Because this action is needed for safety reasons, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest.

This regulation is limited to 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