

## Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 7400.9P, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

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

\* \* \* \* \*

#### ACE NE E5 Thedford, NE

Thedford, Thomas County Airport, NE  
(Lat 41°57'44" N., long. 100°34'08" W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of Thomas County Airport.

\* \* \* \* \*

Issued in Fort Worth, TX, on December 26, 2006.

**Donald R. Smith,**

*Manager, System Support Group, ATO  
Central Service Area.*

[FR Doc. 07–48 Filed 1–10–07; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2006–25945; Airspace  
Docket No. 06–ACE–15]

#### Modification of Class E Airspace; Alliance, NE

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

**ACTION:** Direct final rule; request for  
comments.

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by modifying Class E airspace at Alliance Municipal Airport, NE. Standard Instrument Approach Procedures have been developed for Alliance Municipal Airport, NE. Additional controlled airspace

extending upward from the surface and upward from 700 feet above the surface of the earth is needed to contain aircraft executing these approaches. This action increases the area of the existing controlled airspace for Alliance Municipal Airport, NE.

**DATES:** This direct final rule is effective on 0901 UTC, May 10, 2007. Comments for inclusion in the Rules Docket must be received on or before February 1, 2007. 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.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590–0001. You must identify the docket number FAA–2006–25945/Airspace Docket No. 06–ACE–15, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1–800–647–5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Grant Nichols, System Support, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2522.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 modifies the Class E airspace areas at Alliance Municipal Airport, NE. The radius of the Class E surface area is expanded from within a 4.3-radius to 5.3-radius of the airport. The radius of the Class E airspace area extending upward from 700 feet or more above the surface of the earth is expanded from within a 6.8-mile radius to within a 7.8-mile radius of the airport. This modification brings the legal description of the Alliance Municipal Airport, NE Class E5 airspace areas into compliance with FAA Orders 7400.2F and 8260.19C. Class E surface areas are published in Paragraph 6002 of FAA Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in

Paragraph 6005 of the same order. The Class E airspace designations listed in this document would be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comments is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this 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 and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket No. FAA–2006–25945/Airspace Docket No. 06–ACE–15.” The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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.

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 regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Alliance Municipal Airport, NE.

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

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 7400.9P, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

*Paragraph 6002 Class E airspace designated as surface areas.*

\* \* \* \* \*

##### **ACE NE E2 Alliance, NE**

Alliance Municipal Airport, NE  
(Lat. 42° 03'12" N., long. 102°48'14" W.)

##### **Alliance VOR/DME**

(Lat. 42° 03'20" N., long. 102°48'16" W.)

##### **Alliance NDB**

(Lat. 42° 02'35" N., long. 102°47'58" W.)

Within a 5.3-mile radius of Alliance Municipal Airport and within 2.6 miles each side of the 145° radial of the Alliance VOR/DME extending from the 5.3-mile radius to 8.7 miles southeast of the VOR/DME and within 2.6 miles each side of the 302° radial of the Alliance VOR/DME extending from the 5.3-mile radius to 7 miles northwest of the NDB. 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.*

\* \* \* \* \*

##### **ACE NE E5 Alliance, NE**

Alliance Municipal Airport, NE

(Lat. 42° 03'12" N., long. 102°48'14" W.)

##### **Alliance VOR/DME**

(Lat. 42° 03'20" N., long. 102°48'16" W.)

That airspace extending upward from 700 feet above the surface within a 7.8-mile radius of the Alliance Municipal Airport and within 3 miles each side of the 145° radial of the Alliance VOR/DME extending from the 7.8-mile radius to 10.5 miles southeast of the VOR/DME and within 3 miles each side of the 302° radial of the Alliance VOR/DME extending from the 7.8-mile radius to 8.7 miles northwest of the VOR/DME.

\* \* \* \* \*

Issued in Forth Worth, TX, on December 26, 2006.

**Donald R. Smith,**

*Manager, System Support Group, ATO Central Service Area.*

[FR Doc. 07–50 Filed 1–10–07; 8:45 am]

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#### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA–2006–25436; Airspace Docket No. 06–AGL–5]**

#### **Modification of Class E Airspace; Hayward, WI**

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

**ACTION:** Final Rule.

**SUMMARY:** This rule modifies a Class E area airspace area extending upward from 700 feet above the surface at Hayward, WI.

The effect of this rule is to provide appropriate controlled Class E airspace for aircraft departing from the executing instrument approach procedures to Hayward, WI and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

**EFFECTIVE DATE:** 0901 UTC, January 18, 2007. 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:** Grant Nichols, System Support, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2522.

#### **SUPPLEMENTARY INFORMATION:**

##### **History**

On Friday, October 6, 2006, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish Class E airspace at Hayward, WI (71 FR 59031). The proposal was to modify the Class E5 airspace area to bring Hayward, WI, airspace into compliance with FAA directives. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

##### **The Rule**

This notice amends Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by modifying Class E airspace area extending upward from 700 feet above the surface at Hayward, WI. The establishment of Standard Instrument Approach Procedures has made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules operations at Hayward, WI. The area will be depicted on appropriate aeronautical charts.

Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1 of the same Order. The Class E airspace designation listed in this document will be published subsequently in the Order.

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