

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

**2001-14-04 Boeing:** Amendment 39-12314. Docket 2000-NM-236-AD.

*Applicability:* Model 767-300 series airplanes modified by Supplemental Type Certificate (STC) ST00118SE; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To ensure that the flight crew is able to remove electrical power from the in-flight entertainment (IFE) system when necessary and is advised of appropriate procedures for such action; accomplish the following:

**Modification and Airplane Flight Manual Revision**

(a) Within 18 months after the effective date of this AD, accomplish paragraphs (a)(1) and (a)(2) of this AD.

(1) Modify the IFE system installed on the airplane in accordance with Matsushita Avionics Systems Corporation Service Bulletin S2GFAB767-23-1, dated February 7, 2001.

(2) Revise the procedures under "Electrical Smoke or Fire" in the "Emergency Procedures" section of the FAA-approved Airplane Flight Manual (AFM) to include the following information. This may be accomplished by inserting a copy of this AD into the AFM.

*"If Smoke Source Cannot Be Located:*

Utility bus switches—Off

Establish communications with cabin crew.

Instruct cabin crew to place in-flight entertainment (IFE) system Master Power Switch in "OFF" position.

Obtain confirmation from cabin crew that electrical power to the IFE system has been removed."

**Spares**

(b) As of the effective date of this AD, no person shall install an IFE system in accordance with STC ST00118SE on any airplane, unless it is modified and the AFM is revised in accordance with this AD.

**Alternative Methods of Compliance**

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be

used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

**Special Flight Permits**

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

**Incorporation by Reference**

(e) The modification shall be done in accordance with Matsushita Avionics Systems Corporation Service Bulletin S2GFAB767-23-1, dated February 7, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Matsushita Avionics Systems Corporation, 22333 29th Drive SE, Bothell, Washington 98021. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Effective Date**

(f) This amendment becomes effective on August 17, 2001.

Issued in Renton, Washington, on June 29, 2001.

**Vi L. Lipski,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Airspace Docket No. 01-AWP-12]**

**Establishment of Class E Airspace at Van Nuys Airport; Van Nuys, CA**

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

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

**SUMMARY:** This action establishes a Class E Surface Area at the Van Nuys Airport in Van Nuys, CA. The purpose of this action is to provide additional controlled airspace at this high-density airport during hours when the control tower is closed. A Class D Surface Area is in effect daily at Van Nuys Airport during the specific hours when Air

Traffic Control Tower (ATCT) is operational. Van Nuys Class D Surface Area hours are published continuously in the Airport/Facility Directory, and existing Class D airspace will not change as a result of this action. However, this action to establish a Class E Surface Area eliminates Class G uncontrolled airspace at Van Nuys Airport during hours when the ATCT is closed.

**EFFECTIVE DATE:** 0901 UTC November 1, 2001. *Comment date:* Comments for inclusion in the Rules Docket must be received on or before August 13, 2001.

**ADDRESSES:** Send comments on the direct final rule in triplicate to: Federal Aviation Administration, Attn: Manager, Airspace Branch, AWP-520, Docket No. 01-AWP-12, Air Traffic Division, P.O. Box 92007, Los Angeles, California 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western-Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California 90261.

An informal docket may also be examined during normal business hours at the Office of the Manager, Airspace Branch, Air Traffic Division at the above address.

**FOR FURTHER INFORMATION CONTACT:** Jeri Carson, Air Traffic Division, Airspace Specialist, AWP-520, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6611.

**SUPPLEMENTARY INFORMATION:** This action establishes Class E airspace designated as a Surface Area at the Van Nuys Airport in Van Nuys, CA. The purpose of this action is to provide additional controlled airspace at this high-density airport during the hours when the air traffic control tower is closed. A Class D Surface Area is in effect daily at Van Nuys Airport during the specific hours when Van Nuys Air Traffic Control Tower is operational. The Van Nuys Class D Surface Area hours are published continuously in the Airport/Facility Directory. Existing Class D airspace will not change as a result of this action. However, this action to establish a Class E Surface Area eliminates Class G uncontrolled airspace at Van Nuys Airport when the control tower is closed. Van Nuys Airport now provides official aviation weather reporting service on a 24-hour daily basis, and meets all criteria for establishment of a Class E Surface Area at this location. The intended effect of this action is to provide adequate Class E controlled airspace to serve the

volume of aircraft operating at Van Nuys Airport during hours when the tower is closed.

Class E airspace areas designated as surface areas for airports are published in Paragraph 6002 of FAA Order 7400.9H dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in that 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. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment 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

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on the rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments,

in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 01-AWP-12." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national governments and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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, 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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; 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 7400.9H, Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

#### AWP CA E2 Van Nuys, CA [New]

Van Nuys Airport, CA

(Lat. 34°12'35"N, long. 118°29'24"W)

Burbank-Glendale-Pasadena Airport, CA

(Lat. 34°12'02"N, long. 118°29'30"W)

Van Nuys VOR/DME

(Lat. 34°13'24"N, long. 118°29'30"W)

Whiteman Airport, CA

(Lat. 34°15'35"N, long. 118°24'48"W)

That airspace extending upward from the surface to but not including 3,000 feet MSL within a 4.3-mile radius of Van Nuys Airport, excluding that airspace within the Burbank-Glendale-Pasadena Airport, CA, Class C airspace Area, and excluding that airspace between the Van Nuys VOR/DME 219° radial clockwise to the Van Nuys VOR/DME 314° radial extending beyond the Burbank-Glendale-Pasadena Airport 10-mile radius, and excluding that airspace within a 1.8-mile radius of Whiteman Airport.

\* \* \* \* \*

Issued in Los Angeles, California, on June 28, 2001.

**Rose Cusic,**

*Acting Manager, Air Traffic Division,  
Western-Pacific Region.*

[FR Doc. 01–17566 Filed 7–12–01; 8:45 am]

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#### SECURITIES AND EXCHANGE COMMISSION

#### 17 CFR Part 249

#### Forms, Securities Exchange Act of 1934

#### CFR Correction

In Title 17 of the Code of Federal Regulations, parts 240 to end, revised as of April 1, 2001, on page 514, part 249 is corrected by removing § 249.1a.

[FR Doc. C1–55521 Filed 7–12–01; 8:45 am]

**BILLING CODE 1505–01–D**