

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2001-26-53 Eurocopter France:

Amendment 39-12605. Docket No. 2001-SW-70-AD.

Applicability: Model AS350B, B1, B2, B3, BA, D, and AS355E helicopters, with TRW-SAMM main servocontrols, part number (P/N) SC 5083, serial number (S/N) from 1500 to 1515, inclusive, or P/N SC 5084, S/N from 722 to 726, inclusive, installed, except those reconditioned and identified by the letter "V" engraved on the identification plate on the right-hand side of the P/N, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters 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 (b) 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 before further flight, unless accomplished previously.

To prevent failure of a main servocontrol, failure of the flight control system, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove each affected main servocontrol.

Note 2: Eurocopter France Alert Telex Nos. 01.00.52 and 01.00.18, both dated November 15, 2001, pertain to the subject of this AD.

(b) 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, Regulations Group, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(c) Special flight permits will not be issued.

(d) This amendment becomes effective on February 6, 2002, to all persons except those persons to whom it was made immediately effective by Emergency AD 2001-26-53, issued December 21, 2001, which contained the requirements of this amendment.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile, France, AD Nos. T2001-590-087(A) and T2001-591-065(A), both dated November 28, 2001.

Issued in Fort Worth, Texas, on January 11, 2002.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 02-1450 Filed 1-18-02; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 01-ASO-12]

**Establishment of Class D Airspace;
Titusville, NASA Shuttle Landing
Facility, FL**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class D airspace at Titusville, NASA Shuttle Landing Facility, FL. A federal contract tower with a weather reporting system is in operation at the National Aeronautics and Space Administration (NASA) Shuttle Landing Facility. Therefore, the airport meets the criteria for establishment of Class D airspace. Class D surface area airspace is required when the control tower is open to contain existing Standard Instrument Approach Procedures (SIAPs) and other Instrument Flight Rules (IFR) operations at the airport. This action establishes Class D airspace extending upward from the surface to and including 1,900 feet MSL within a 5.7-mile radius of the NASA Shuttle Landing Facility.

EFFECTIVE DATE: 0901 UTC, April 18, 2002.

FOR FURTHER INFORMATION CONTACT: Walter R. Cochran, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

SUPPLEMENTARY INFORMATION:**History**

On December 3, 2001, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing Class D airspace at Titusville, NASA Shuttle Landing Facility, FL, (66 FR 60162) to provide adequate controlled airspace to contain IFR operations at the NASA Shuttle Landing Facility. Class D airspace designations for airspace areas extending upward from the surface of the earth are published in FAA Order 7400.9J, dated August 31, 2001, and effective September 16, 2001, which is

incorporated by reference in 14 CFR 71.1. The Class D designation listed in this document will be published subsequently in the Order.

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

The amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class D airspace at Titusville, NASA Shuttle Landing Facility, FL.

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. 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 rule will not have a 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;
AIRWAYS; 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; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

Paragraph 5000 Class D Airspace

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ASO FL D Titusville, NASA Shuttle Landing Facility, FL [New]

NASA Shuttle Landing Facility, FL

(Lat. 28° 36' 54" N. long. 80° 41' 40" W)

Space Coast Regional Airport

(Lat. 28° 30' 53" N. long. 80° 47' 57" W)

That airspace extending upward from the surface to and including 1,900 feet MSL within a 5.7-mile radius of NASA Shuttle Landing Facility, excluding that portion contained within the Titusville, FL Class D airspace area; excluding that portion along the western boundary of Restricted Area R-2934, west of a line connecting the 2 points of intersection; and excluding the remaining portion within Restricted Areas R-2932 and R-2934 when they are active. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

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Issued in College Park, Georgia, on January 14, 2002.

Wade T. Carpenter,

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

[FR Doc. 02-1510 Filed 1-18-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 00-AWP-13]

Establishment, Redesignation, and Revocation of Restricted Areas; NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action redesignates Restricted Area 4804 (R-4804) Twin Peaks, NV, as R-4804A, and establishes R-4804B from flight level (FL) 180 to FL 350. Additionally, this action redesignates R-4813 Carson Sink, NV, as R-4813A, and establishes R-4813B from FL 180 to FL 350. This action also revokes R-4802 Lone Rock, NV, and designates the U.S. Navy (USN) Naval Strike and Warfare Center, Fallon, NV, as the using agency for R-4804A, R-4804B, R-4813A, and R-4813B.

EFFECTIVE DATE: 0901 UTC, April 18, 2002.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, 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:

History

On December 18, 2000, the FAA proposed the establishment, redesignation, and revocation of restricted areas in Nevada. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received regarding this rulemaking. Except for editorial changes, and the addition of the time of designation for R-4804A Twin Peaks, NV, which remains the same as currently designated but, was inadvertently omitted from the proposal, this amendment is the same as that proposed in the Notice. These rulemaking actions "are necessary in the interest of national defense," as required under 49 U.S.C. 40103(b)(3)(A).

The Rule

This action redesignates R-4804 Twin Peaks, NV, as R-4804A from surface to 17,999 mean sea level (MSL), and establishes R-4804B from FL 180 to FL 350. Additionally, this action redesignates R-4813 Carson Sink, NV, as R-4813A from surface to 17,999 MSL, and establishes R-4813B from FL 180 to FL 350. The establishment of restricted areas R-4804B and R-4813B respectively, increase the vertical limits of two existing restricted areas but does not increase the lateral boundaries of the restricted areas. The activation of the new areas will be on a real-time basis and follow agreed procedures between the United States Navy (USN) and the Manager of Oakland Center. This action also revokes R-4802 Lone Rock, NV, and designates the USN Naval Strike and Warfare Center, Fallon, NV, as the using agency for R-4804A, R-4804B, R-4813A, and R-4813B.

The USN requested these modifications to meet the Chief of Naval Operations training requirements resulting from a real world threat environment that requires flight crews to develop and maintain an ability to deliver ordnance (bombs, missiles, bullets, etc.) from high altitudes.

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 proposed 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 coordinates for this airspace docket are based on North American Datum 83. Section 73.48 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8H dated September 1, 2000.

Environmental Review

This action was requested by the USN as part of the USN's Proposed Fallon Range Training Complex Requirements at Naval Air Station Fallon in Nevada, which also includes non-rulemaking airspace actions. Pursuant to section 102(2) of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), and other applicable law, the USN and the Bureau of Land Management (BLM) prepared and published a Final Environmental Impact Statement (FEIS) in January 2000 that analyzed the potential environmental impacts associated with the Proposed Fallon Range Training Complex Requirements. The FAA was a cooperating agency on the FEIS. The actions taken in this final rule were among several actions included in the FEIS. According to the FEIS, each of the actions has independent utility and could be implemented separately. See FEIS, p. 1-4 (Table 1-1). The FEIS considered five alternatives, including the "no action" alternative. All but the "no action" alternative included the actions taken in this final rule. The USN issued a Record of Decision on April 10, 2000.

The FAA has conducted an independent review of the FEIS and is adopting the FEIS for this action pursuant to 40 CFR § 1506.3(a) and (c). This final rule, which increases the vertical limits of two existing restricted areas but does not increase the lateral boundaries of the existing airspace, will not result in significant environmental impacts. The FAA has also approved the non-rulemaking airspace action included in the USN's proposed training requirements at the Fallon Range Training Complex. The record of decision for the non-rulemaking action is contained in a Non-Rulemaking Decision Document (NRDD) dated November 6, 2001. A copy of the NRDD has been placed in the public docket for this rulemaking.