

**§ 39.13 [Amended]**

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

97-06-11 Raytheon Aircraft Company (formerly Beech Aircraft Corporation): Amendment 39-9968; Docket No. 96-CE-44-AD.

**Applicability:** Models 35, 35R, A35, B35, C35, D35, E35, F35, G35, H35, J35, K35, M35, N35, P35, S35, V35, V35TC, V35A, V35A-TC, V35B, and V35B-TC airplanes, serial numbers D-1 through D-10403, D-15001, and D-15002, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 (d) 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 within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent failure of the ruddervator differential tail control rod assembly, which could result in loss of control of the airplane, accomplish the following:

(a) Inspect the ruddervator differential tail control rod assembly for cracks and corrosion in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Raytheon Mandatory Service Bulletin (MSB) No. 2668, Revised: December, 1996; or Raytheon MSB No. 2668, Issued: September, 1996. Prior to further flight, repair or replace any corroded or cracked part as specified in and in accordance with the service information referenced above.

(b) Apply anti-corrosion sealant to the ruddervator control pushrods in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Raytheon MSB No. 2668, Revised: December, 1996; or Raytheon MSB No. 2668, Issued: September, 1996.

(c) 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.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

Note 2: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Wichita ACO.

(e) The inspection, repair or replacement (if necessary), and application required by this AD shall be done in accordance with either Raytheon Mandatory Service Bulletin No. 2668, Issued: September, 1996; or Raytheon Mandatory Service Bulletin No. 2668, Revised: December, 1996. 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 the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-9968) becomes effective on May 16, 1997.

Issued in Kansas City, Missouri, on March 7, 1997.

Michael Gallagher,  
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-6540 Filed 3-14-97; 8:45 am]

BILLING CODE 4910-13-U

**14 CFR Part 71**

[Airspace Docket No. 96-AGL-24]

**Establishment of Class E Airspace;  
Ephraim, WI, Ephraim-Fish Creek  
Airport**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Ephraim, WI. A Global Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway 32 has been developed for Ephraim-Fish Creek Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

**EFFECTIVE DATE:** 0901 UTC, May 22, 1997.

**FOR FURTHER INFORMATION CONTACT:** John A. Clayborn, Air Traffic Division, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

**SUPPLEMENTARY INFORMATION:**

**History**

On Monday, December 6, 1996, the FAA proposed to amend part 71 of the

Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Ephraim, WI (61 FR 65992). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. Two (2) letters of objection were received in response to this airspace action. The objections were based on concerns for cost, safety, and noise. The following concerns were raised:

1. Establishing Class E controlled airspace, and possible future expansion of the airport, will increase the cost to the local taxpayers for airport operations.

2. Establishing Class E controlled airspace will allow larger aircraft and/or jet aircraft to operate into and out of the existing airport, thereby decreasing safety at the airport.

3. Establishing Class E controlled airspace will increase the noise levels associated with the airport and consequently lower the property values for the homes immediately adjacent to the airport.

All of these comments were considered and evaluated. They are responded to as follows:

1. There is no increase in direct cost to the local taxpayer associated with establishing Class E controlled airspace for this airport. The Class E airspace action is based on the GPS SIAP to Runway 32, which is supported by the Department of Defense system of Global Positioning System satellites now in orbit around the earth. Pilots desiring to use this GPS SIAP must carry the appropriate receiving equipment on board their aircraft. Neither of these costs are related to the local tax base for the airport. Further, concern for any possible future expansion of this airport is not appropriate to this airspace action, which is based on the existing airport; therefore, this comment is considered beyond the scope of this airspace action. Comments concerning any possible future expansion of the airport should be directed to the local airport authority.

2. Establishing Class E controlled airspace does not by itself increase the capability of the airport to accept larger aircraft and/or jet aircraft. Only a physical change to the existing runway (i.e., longer runway stressed for heavier aircraft) and other such related actions (i.e., associated parking ramp

expansion) would allow for larger types of aircraft to operate into and out of the airport. Establishing Class E controlled airspace actually enhances safety of flight operations, for those aircraft presently permitted to use the airport, during periods of marginal and deteriorating weather conditions. Therefore, any perceived risk associated with this concern is beyond the scope of this airspace action, because, as stated above, comments concerning any possible future expansion of the airport should be directed to the local airport authority.

3. Establishing Class E controlled airspace does not automatically lead to increased aircraft operations for that airport. The demographics of this airport indicate only a small insignificant increase in aircraft operations may occur as a result of this GPS SIAP and associated airspace action. There is presently no expected significant increase in the total annual air traffic operations due to the establishment of Class E controlled airspace at this airport. Therefore, there is not reasonable expectation of a significant increase in the noise levels, nor is there a reasonable expectation of a significant change in property values for homes immediately adjacent to the airport.

Class E airspace designations for areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, 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 Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Ephraim, WI to accommodate aircraft executing the GPS Runway 32 SIAP at Ephraim-Fish Creek Airport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures.

The FAA has determined that this regulation only involves an establishes 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 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—[AMENDED]

1. The authority citation for 14 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; 14 CFR 11.69.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

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

\* \* \* \* \*

AGL WI E5 Ephraim, WI [New]

Ephraim-Fish Creek Airport, WI  
(Lat. 45°08'07" N, long. 87°11'09" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Ephraim-Fish Creek Airport.

\* \* \* \* \*

Issued in Des Plaines, Illinois on February 14, 1997.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 97–6612 Filed 3–14–97; 8:45 am]

BILLING CODE 4910–13–M

#### 14 CFR Part 71

[Airspace Docket No. 96–AGL–30]

#### Establishment of Class E Airspace; Shawano, WI, Shawano Municipal Airport

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Shawano, WI. A Global

Positioning System (GPS) standard instrument approach procedure (SIAP) to Runway 29 has been developed for the Shawano Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

EFFECTIVE DATE: 0901 UTC, May 22, 1997.

FOR FURTHER INFORMATION CONTACT: John A. Clayborn, Air Traffic Division, Operations Branch, AGL–530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7568.

#### SUPPLEMENTARY INFORMATION:

##### History

On Wednesday, January 8, 1997, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Shawano, WI (62 FR 1067). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

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. Class E airspace designations for areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Shawano, WI to accommodate aircraft executing the GPS Runway 29 SIAP at Shawano Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The area will be depicted on appropriate aeronautical charts thereby enabling