

SUPPLEMENTARY INFORMATION:

History

On January 8, 1999, the FAA proposed to amend Title 14, Code of Federal Regulations, part 71 (14 CFR part 71) by establishing a Class D surface area and by modifying the Bozeman, MT, Class E surface area (64 FR 1142). This establishment of the Class E surface area provides the airspace necessary to allow terminal operations when the ATCT is in operation. Interested parties were invited to participate in the rulemaking proceeding by submitting written comments on the proposal. No comments were received.

The coordinates for this airspace docket are based on North American Datum 83. Class D surface airspace areas and Class E surface airspace areas are published in paragraph 5000 and paragraph 6002, respectively, of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, 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 14 CFR part 71 establishes Class D airspace at Bozeman, MT, by providing a Class D surface area in conjunction with a new ATCT. This action also modifies the Class E surface area by amending the effective hours to coincide with the hours that the ATCT is closed. The intended effect of this proposal is designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations at Gallatin Field between the terminal and en route transition stages. The intended effect of this rule is to clarify when two-way radio communication with the ATCT is required.

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; 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 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

* * * * *

Paragraph 5000 General

ANM MT D Bozeman, MT [New]

Bozeman, Gallatin Field, MT
(Lat. 45°46'37" N, long. 111°09'11" W)
Bozeman ILS Localizer
(Lat. 45°46'01" N, long. 111°08'13" W)

Within a 4.4-mile radius of Gallatin Field, and within 3 miles each side of the Bozeman ILS northwest localizer course extending from the 4.4-mile radius to 14 miles northwest of Gallatin Field. This Class D 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.

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Paragraph 6002 Class E airspace areas designated as a surface area for an airport

ANM MT E2 Bozeman, MT [Revised]

Bozeman, Gallatin Field, MT
(Lat. 45°46'37" N, long. 111°09'11" W)
Bozeman ILS Localizer
(Lat. 45°46'01" N, long. 111°08'13" W)

Within a 4.4-mile radius of Gallatin Field, and within 3 miles each side of the Bozeman ILS northwest localizer course extending from the 4.4-mile radius to 14 miles northwest of Gallatin Field. 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.

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Issued in Seattle, Washington, on March 10, 1999.

Daniel A. Boyle,

*Assistant Manager, Air Traffic Division,
Northwest Mountain Region.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98–AWP–34]

**Revocation of Class E Airspace,
Revision of Class D Airspace;
Torrance, CA**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule; delay of
effective date.

SUMMARY: This document gives notice of the delayed effective date of a direct final rule which revokes the Class E airspace arrival extensions and revises the Class D airspace area for Torrance Municipal Airport, CA.

DATES: The direct final rule published in 64 FR 3206 is effective on 0901 UTC, May 20, 1999.

FOR FURTHER INFORMATION CONTACT:
Debra Trindle, Air Traffic Division,
Airspace Branch, AWP–520.10, Federal
Aviation Administration, 15000
Aviation Boulevard, Lawndale,
California 90261; telephone: (301) 725–
6613.

SUPPLEMENTARY INFORMATION: On January 21, 1999, the FAA published in the **Federal Register** a direct final rule; request for comments which revokes the Class E airspace arrival extensions and revises the Class D airspace area for Torrance Municipal Airport, Torrance, CA. (FR Document 99–1355, 64 FR 3206, Airspace Docket No. 98–AWP–34).

The intended effect of this action is to incorporate the Class E airspace arrival extensions (E4) into the Class D airspace area associated with Torrance Municipal Airport and lower the ceiling of the reconfigured Class D airspace area to 2,400 feet Mean Sea Level (MSL). An airspace review and analysis of Torrance has made this action necessary. In accordance with FAA Order 7400.2D, Procedures for Handling Airspace Matters, if the length of an arrival extension is less than 2 miles from the surface area, it shall remain a part of the basic surface area. This is the case at Torrance Municipal Airport. The existing Class E airspace for Torrance was published and charted in error as

an arrival extension and should be a part of the Class D surface area. The revised altitude of 2,400 feet MSL will provide aircraft the opportunity to operate over Torrance Class D airspace at 2,500 feet MSL and above without having to obtain permission from Torrance Airport Traffic Control Tower. This is a commonly used altitude in this area for aircraft flying off shore to avoid the Los Angeles Class B airspace FAA. Class D airspace areas are published in Paragraph 5000 and Class E4 airspace areas are published in Paragraph 6004 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be subsequently removed from this order. After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require adoption of the rule. 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 March 25, 1999.

No adverse comments were received, and thus this document gives notice that this direct final rule will become effective on the revised date of May 20, 1999.

Issued in Los Angeles, California on March 5, 1999.

Ronald J. Popper,

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

[FR Doc. 99-6941 Filed 3-19-99 8:45 am]

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Chapter I

[T.D. 99-27]

RIN 1515-AB84

Technical Corrections Regarding Customs Organization

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document makes final, with certain technical corrections, the

interim amendments to the Customs Regulations that reflected Customs new organizational structure. The changes are nonsubstantive or merely procedural in nature.

EFFECTIVE DATE: These changes are effective March 22, 1999.

FOR FURTHER INFORMATION CONTACT: Jerry Laderberg, Entry and Carrier Rulings Branch, Office of Regulations and Rulings (202) 927-2077, or Gregory R. Vilders, Regulations Branch, Office of Regulations and Rulings (202) 927-2340.

SUPPLEMENTARY INFORMATION:

Background

On September 27, 1995, Customs published interim regulations in the **Federal Register** (T.D. 95-77 at 60 FR 50008 and T.D. 95-78 at 60 FR 50020) to implement its new field organization, effective for fiscal year 1996. Because the regulations concerned matters related to agency management and personnel, notice, public procedure, and a delayed effective date were not necessary, and the regulations became effective on October 1, 1995. Even though notice and public procedure were not required, Customs did solicit comments on the interim regulations. The comment period closed November 27, 1995. Only one comment was received, which addressed a very narrow issue concerning brokers' permits. The comment received and Customs response are set forth below.

Discussion of Comment

Comment: The one comment received questioned why Customs stated in the BACKGROUND portion of the interim regulations (T.D. 95-77) that it was eliminating, for the most part, districts and regions from its field organization to place more emphasis on field operations, and then retained this distinction for purposes of brokers' permits. The commenter urged that the 20 Customs Management Centers' geographical boundaries be adopted as the basis for issuing broker permits, rather than use the Service Port boundaries. The commenter objected to the continued use of the terms "district" and "region" for the limited purposes of regulating the permitting of customs brokers (part 111 of the Customs Regulations) and carriers, cartmen, and lightermen (part 112 of the Customs Regulations), as not being within the spirit of Customs reorganization or the National Performance Review.

Customs Response: Customs does not agree with this assessment. As more fully stated in the BACKGROUND portion of the interim regulations,

districts and regions will still exist as geographical descriptions for limited purposes such as for broker permits and certain cartage and lighterage purposes. In the case of brokers, Customs decided to preserve the district permit and region waiver procedures because these procedures are mandated by statute (see, 19 U.S.C. 1641). Also, during the course of the reorganization, Customs consulted with the Customs brokerage industry and was informed that the industry's preference, in the short-term, was to retain the current scheme until it had time to assess the effects of both the new field structure and the automation initiatives made pursuant to the Customs Modernization provisions of the North American Free Trade Agreement Implementation Act (provisions pertaining to the National Customs Automation Program are at 19 U.S.C. 1411). Customs believes that its consultation with the Customs brokerage industry was in the spirit of Customs reorganization and the National Performance Review. Accordingly, at this time no further change to the Customs Regulations is made based on the comment received.

Changes to Interim Regulations

In reviewing the interim regulations, Customs finds that further changes to 95 sections of the regulations must be made to correct grammatical and nomenclature errors. Following is a summary of those changes.

Further nomenclature changes are made to more than 80 sections and Appendices: §§ 4.14, 4.80a, 4.80b, 10.5, 10.37, 10.39, 12.8, 12.39, 18.8, 18.21, 101.3, 103.0, 103.1, 103.5, 103.7, 103.9, 103.31, 111.13, 111.19, 111.95, 111.96, 113.14, 113.15, 113.38, 113.39, 115.11, 115.13, 115.30, 115.40, 115.51, 115.65, 122.14, 122.165, 122.176, 125.42, 132.14, 133.2, 133.12, 133.32, 134.54, 145.4, 146.2, 146.4, 146.6, 146.83, 162.32, 162.42, 162.44 through 162.50, 162.52, 162.64, 162.65, 162.71, 162.72, 162.74 through 162.79, 162.79b, 171.12, 171.15, 171.21 through 171.23, 171.31, 171.33, and 171.52, Appendices A-C to Part 171, §§ 172.2, 172.12, 172.21, 172.22, 172.31, 172.33, 175.25, 177.2, and 177.26. These changes, for the most part, continue the conversion of "district director" to "port director" or to "Fines, Penalties, and Forfeitures Officer", replace an obsolete term ("collector") with "port director", replace the Office of Inspection and Control with the Office of Field Operations, and further inform the public of responsible offices and personnel, e.g., "Disclosure Law Officer" for Regulations and Disclosure Law Branch. Since publication of the