

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket No. FAA-2003-15471; Airspace  
Docket No. 03-AWA-6]

RIN 2120-AA66

## Modification of the Minneapolis Class B Airspace Area; MN

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a final rule published in the **Federal Register** on November 28, 2005 (70 FR 71233), Airspace Docket No. 03-AWA-6, FAA Docket No. FAA-2003-15471. In that rule, inadvertent errors were made in the legal description of the Minneapolis Class B airspace area. This action corrects those errors.

**EFFECTIVE DATE:** 0901 UTC, February 16, 2006.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:****Background**

On November 28, 2005, a final rule was published in the **Federal Register** modifying the Minneapolis, MN Class B Airspace Area (70 FR 71233), Airspace Docket No. 03-AWA-6, FAA Docket No. FAA-2003-15471. In that final rule, inadvertent errors were made in the legal descriptions for some of the areas; in that, the radials (from navigational aids) were listed in degrees magnetic rather than true. Normally, radials contained in a legal description are expressed in degrees true rather than magnetic. This eliminates the need for periodic rulemaking to update the radials as magnetic variation changes over time. Radials contained in the legal description are then converted from true to magnetic for charting purposes. However, because the legal description in this rule listed magnetic values rather than true, it became evident that the charted radials were not in the same locations as presented in the public meetings, studied by the ad hoc committee, and depicted in the Notice of Proposed Rulemaking (NPRM) and final rule. This action corrects the radials contained in the legal description to degrees true. This will align the charted depiction of the

airspace with the intent of the Minneapolis Class B airspace area modification. When these new radials are converted and depicted on aeronautical charts, they will be the same numerical values as those presented in public meetings, studied by the ad hoc committee, and contained in the NPRM and final rule.

Due to the significant impact that the erroneous Class B boundary locations would have on aircraft operations surrounding the MSP terminal area, the FAA finds good cause, pursuant to 5 U.S.C. 553(d), for making this amendment effective in less than 30 days in order to promote the safe and efficient handling of air traffic in the area.

**Corrections to Final Rule**

■ Accordingly, pursuant to the authority delegated to me, the legal description for the Minneapolis Class B Airspace Area, as published in the **Federal Register** on November 28, 2005, (70 FR 71233), Docket No. 03-AWA-6, FAA Docket No. FAA-2003-15471, and incorporated in 14 CFR 71.1, is corrected as follows:

**PART 71—[AMENDED]****§ 71.1 [Amended]**

■ On page 71233, correct the legal description of the Minneapolis Class B Airspace, to read as follows:

*Paragraph 3000 Class B Airspace*

\* \* \* \* \*

**AGL MN B Minneapolis, MN [Corrected]**

Minneapolis-St. Paul International (Wold-Chamberlain) Airport (Primary Airport)  
(Lat. 44°53'00" N., long. 93°13'01" W.)

Gopher VORTAC

(Lat. 45°08'45" N., long. 93°22'24" W.)

Flying Cloud VOR/DME

(Lat. 44°49'33" N., long. 93°27'24" W.)

Point of Origin: Minneapolis-St. Paul International (Wold-Chamberlain) Airport DME Antenna (I-MSP DME)  
(Lat. 44°52'28" N., long. 93°12'24" W.)

**Boundaries.**

*Area A.* That airspace extending upward from the surface to and including 10,000 feet MSL within a 6-mile radius of I-MSP DME.

*Area B.* That airspace extending from 2,300 feet MSL to and including 10,000 feet MSL within an 8.5-mile radius of I-MSP DME, excluding Area A previously described.

*Area C.* That airspace extending from 3,000 feet MSL to and including 10,000 feet MSL within a 12-mile radius of I-MSP DME, excluding Area A and Area B previously described.

*Area D.* That airspace extending from 4,000 feet MSL to and including 10,000 feet MSL within a 20-mile radius of I-MSP DME and including that airspace within a 30-mile radius from the Flying Cloud 301° radial clockwise to the Gopher 301° radial and from

the Gopher 121° radial clockwise to the Flying Cloud 121° radial, excluding Area A, Area B, and Area C previously described.

*Area E.* That airspace extending from 7,000 feet MSL to and including 10,000 feet MSL within a 30-mile radius of I-MSP DME from the Gopher 301° radial clockwise to the Gopher 358° radial, and from the Gopher 091° radial clockwise to the Gopher 121° radial, and from the Flying Cloud 121° radial clockwise to the Gopher 166° radial, and from the Gopher 176° radial clockwise to the Flying Cloud 301° radial excluding that airspace between a 25-mile radius and a 30-mile radius of I-MSP DME from the Flying Cloud 121° radial clockwise to the Gopher 166° radial, and excluding Area A, Area B, Area C, and Area D previously described.

*Area F.* That airspace extending from 6,000 feet MSL to and including 10,000 feet MSL within a 30-mile radius of I-MSP DME from the Gopher 166° radial clockwise to the Gopher 176° radial, excluding Area A, Area B, Area C, and Area D previously described.

\* \* \* \* \*

Issued in Washington, DC, on January 25, 2006.

**Kenneth McElroy,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 06-900 Filed 1-30-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket No. FAA-2005-22708; Airspace  
Docket No. 05-AAL-32]

RIN 2120-AA66

## Modification of Offshore Airspace Areas: Gulf of Alaska Low and Control 1487L; AK

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Gulf of Alaska Low and Control 1487L Offshore airspace areas in Alaska. Specifically, this action modifies the Gulf of Alaska Low and Control 1487L airspace areas in the vicinity of the Yakutat Airport, Yakutat, AK, by lowering the affected controlled airspace floor to 700 feet mean sea level (MSL) for the Gulf of Alaska Low, and 1,200 feet MSL for Control 1487L. The FAA is taking this action to provide additional controlled airspace for the safety of aircraft executing instrument flight rules (IFR) operations at the Yakutat Airport.

**EFFECTIVE DATE:** 0901 UTC, April 13, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, Office of

System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### History

On December 8, 2005, the FAA published in the **Federal Register** a notice of proposed rulemaking to modify the Gulf of Alaska Low and Control 1487L Offshore Control Areas in Alaska (70 FR 72950). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

##### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to modify the Gulf of Alaska Low airspace area, AK, by lowering the floor to 700 feet MSL in the vicinity of Yakutat Airport, Yakutat, AK. Additionally, the Control 1487L airspace area, AK, will be lowered from 5,500 feet MSL to 1,200 feet MSL in the vicinity of Yakutat Airport. These areas will provide controlled airspace beyond 12 miles from the shoreline of the United States where there is a requirement to provide IFR enroute Air Traffic Control services and within which the United States is applying domestic air traffic control procedures. This rule establishes controlled airspace sufficient in size to support the Terminal Arrival Area associated with new IFR operations at Yakutat Airport, AK. The FAA Instrument Flight Procedures Production and Maintenance Branch has developed three new standard instrument approach procedures (SIAP), revised seven SIAPs and revised one departure procedure for the Yakutat Airport. Additional controlled airspace extending upward from 700 feet and 1,200 feet above the surface in international airspace is created by this action. The airspace is sufficient to support IFR operations at the Yakutat Airport.

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 Department of Transportation (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.

##### ICAO Considerations

As part of this rule relates to navigable airspace outside the United States, the notice of this action is submitted in accordance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices.

The application of International Standards and Recommended Practices by the FAA, Office of System Operations Airspace and AIM, Airspace & Rules, in areas outside United States domestic airspace, is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft. Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

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

Airspace, Incorporation by reference, Navigation (air).

##### The Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 the Federal Aviation Administration Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

##### *Paragraph 6007 Offshore Airspace Areas.*

\* \* \* \* \*

##### **Gulf of Alaska Low, AK [Amended]**

That airspace extending upward from 700 feet MSL bounded by a line beginning at a point where the 12-mile offshore limit intersects long. 144°30'00" W.; thence eastward 12 miles off shore and parallel to the shoreline to lat. 59°10'36" N., long. 139°31'10" W.; to lat. 59°02'49" N., long. 139°47'45" W.; to lat. 59°27'12" N., long. 140°31'10" W.; thence westward along the south boundary of V-440 to long. 144°30'00" W.; thence northward along long. 144°30'00" W.; to the point of beginning.

\* \* \* \* \*

##### **Control 1487L [Amended]**

That airspace extending upward from 5,500 feet MSL within the area bounded by a line beginning at lat. 58°19'58" N., long. 148°55'07" W.; to lat. 59°08'34" N., long. 147°16'06" W.; thence counterclockwise via the arc of a 149.5-mile radius centered on the Anchorage VOR/DME to the intersection of the 149.5-mile radius arc and a point 12 miles from and parallel to the U.S. coastline; thence southeast 12 miles from and parallel to the U.S. coastline to a point 12 miles offshore on the Vancouver FIR boundary; to lat. 54°32'57" N., long. 133°11'29" W.; to lat. 54°00'00" N., long. 136°00'00" W.; to lat. 52°43'00" N., long. 135°00'00" W.; to lat. 56°45'42" N., long. 151°45'00" W.; to the point of beginning; and that airspace extending upward from 1,200 feet MSL within the area bounded by a line beginning at lat. 59°33'25" N., long. 141°03'22" W.; thence southeast 12 miles from and parallel to the U.S. coastline to lat. 58°56'18" N., long. 138°45'19" W.; to lat. 58°40'00" N., long. 139°30'00" W.; to lat. 59°00'00" N., long.

141°10'00" W.; to the point of beginning. The portion within Canada is excluded.

\* \* \* \* \*

Issued in Washington, DC, on January 25, 2006.

**Kenneth McElroy,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 06-898 Filed 1-30-06; 8:45 am]

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 305

#### Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")

**AGENCY:** Federal Trade Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Trade Commission ("Commission") is amending the Appliance Labeling Rule to update ranges of comparability for compact clothes washers, refrigerators, refrigerator-freezers, and freezers. In addition, the Commission announces that ranges of comparability for standard clothes washers will remain in effect until further notice. Finally, the Commission is issuing minor, technical amendments to update the definition of medium base compact fluorescent lamp and to correct a sample heat pump label in the Rule.

**EFFECTIVE DATE:** May 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202-326-2889); [hnewsome@ftc.gov](mailto:hnewsome@ftc.gov).

**SUPPLEMENTARY INFORMATION:** The Appliance Labeling Rule ("Rule") was issued by the Commission in 1979, 44 FR 66466 (Nov. 19, 1979), in response to a directive in the Energy Policy and Conservation Act of 1975 ("EPCA").<sup>1</sup> The Rule covers several categories of major household appliances including refrigerators, refrigerator-freezers, and freezers.

#### I. Background

The Rule requires manufacturers of all covered appliances to disclose specific energy consumption or efficiency information (derived from the DOE test

<sup>1</sup> 42 U.S.C. 6294. The statute also requires the Department of Energy ("DOE") to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

procedures) at the point of sale in the form of an "EnergyGuide" label, in fact sheets (for some appliances), and in catalogs. The Rule requires manufacturers to include, on labels and fact sheets, an energy consumption or efficiency figure and a "range of comparability." This range shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of similar models. The Rule also requires manufacturers to include, on labels for some products, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the Rule requires manufacturers, after filing an initial report, to report certain information annually to the Commission.<sup>2</sup> These reports, which assist the Commission in preparing the ranges of comparability, contain the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and discontinue others, the data base from which the ranges of comparability are calculated changes constantly. To keep the information on labels up-to-date, the Commission, therefore, publishes new ranges if the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission publishes a statement that the prior ranges remain in effect for the next year.

#### II. 2005 Refrigerator and Clothes Washer Data

The Commission has analyzed the annual submissions of data for clothes washers, refrigerators, refrigerator-freezers, and freezers. Analysis of the refrigerators, refrigerator-freezers, and freezers submissions indicates that the ranges for these products have changed significantly.<sup>3</sup> Therefore, the Commission is publishing new ranges of comparability in these categories. Today's publication of the new ranges for refrigerators, refrigerator-freezers, and freezers also means that, after May 1, 2006, manufacturers of these products must calculate the operating cost figures

<sup>2</sup> Reports for refrigerators, refrigerator-freezers, and freezers are due August 1. Reports for clothes washers are due October 1.

<sup>3</sup> The Commission's analysis for refrigerators, refrigerator-freezers, and freezers excluded models with energy consumption figures that do not meet the current DOE energy conservation standards. See 62 FR 23102 (April 28, 1997).

at the bottom of labels for the products using the 2005 cost for electricity (9.06 cents per kilowatt-hour) (see 70 FR 32484 (June 3, 2005)).

Analysis of the clothes washer submissions indicate that there has been a significant change in the range for compact clothes washers but no significant change for standard clothes washers. Manufacturers should continue to use the existing range and energy cost information found in the Rule for standard clothes washers. The Commission, however, is amending the required range of comparability for compact clothes washers to reflect the new data.<sup>4</sup> The Commission is not changing the energy cost figures (*i.e.*, the average national prices for electricity and natural gas) that manufacturers must use to calculate estimated operating costs on compact clothes washer labels. Manufacturers should continue to use the 2004 electricity and natural gas cost figures as currently required by the Rule for both compact and standard models. If standard and compact washer labels employed different energy cost figures for calculating operating costs, models with the identical energy consumption would bear labels disclosing different annual operating costs. This could cause consumer confusion and make it difficult for consumers to compare the operating costs of these washer types.

#### III. Definition of Medium Base Compact Fluorescent Lamp

The Energy Policy Act of 2005 (EPACT of 2005) (Pub. L. 109-58) amended the definition of "medium base compact fluorescent lamp" in part B of title III of the Energy Policy and Conservation Act (EPCA) (42 U.S.C. 6291-6309). On October 18, 2005 (70 FR 60407), DOE issued technical amendments to change, among other things, the regulatory definition of "medium base compact fluorescent lamp" to make it consistent with the amended Act. The Commission is changing the definition of this term in its Rule so that it is consistent with DOE's rules and the new statutory definition.

#### IV. Correction to Prototype Label 5 and Sample Label 9

The Commission is issuing a correction to Prototype Label 5 and Sample Label 9 in the Rule. The word "cooling," instead of "heating," was incorrectly placed in the label's depiction of the model's Heating Seasonal Performance Factor. In

<sup>4</sup> Compact clothes washers account for a small fraction of the total washer models on the market.