

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

[Docket No. FAA-2009-0326; Airspace
Docket 09-ASO-15]

**Establishment of Class D and Class E
Airspace, Modification of Class E
Airspace; Ocala, FL**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule, request for
comments.

SUMMARY: This action establishes Class D airspace and Class E surface airspace as an extension of the Class D airspace and modifies the existing Class E airspace that extends upwards from 700 feet above the surface of the Earth (E5) at Ocala International Airport—Jim Taylor Field in Ocala, FL. A new Federal Contract Air Traffic Control Tower is being built and the current Instrument Approach Procedures at Ocala International Airport—Jim Taylor Field are being amended. It is regulatory, therefore, that Class D and Class E surface airspace be established, and the existing Class E5 airspace be modified. This rule increases the safety and management of the National Airspace System (NAS) around Ocala International Airport—Jim Taylor Field. **DATES:** Effective 0901 UTC, August 27, 2009. Comments should be received no later than July 24, 2009. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

ADDRESSES: Send comments on this rule to: U.S. Department of Transportation, Docket Operations, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2009-0326; Airspace Docket No. 09-ASO-015, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the rule, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

An informal docket may also be examined during normal business hours

at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

FOR FURTHER INFORMATION CONTACT:

Melinda Giddens, Operations Support, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5610.

SUPPLEMENTARY INFORMATION:**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comments, and, therefore, issues it as a direct final rule. The FAA has determined that this rule only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. 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 effective date. If the FAA receives, 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 direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. An electronic copy of this document may be downloaded from and comments may be submitted and reviewed at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. 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.

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. 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. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. Those 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. FAA-2009-0326; Airspace Docket No. 09-ASO-015." The postcard will be date stamped and returned to the commenter.

The Rule

This amendment to Title 14 of the Code of Federal Regulations (14 CFR) part 71 establishes Class D airspace and Class E surface airspace as an extension to Class D (E4) within a 4.4-mile radius plus minor extensions at the Ocala International Airport—Jim Taylor Field. To support Instrument Flight Rules operations at the airport, this rule also modifies the existing Class E5 airspace (airspace designated as beginning 700 feet or more above the surface of the Earth). This amendment also notes a name change from Ocala Municipal to Ocala International Airport—Jim Taylor Field.

Class D and Class E airspace designations are published in Paragraph 5000, 6004 and 6005 respectively, of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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, 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 FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Class D and Class E airspace at Ocala International Airport—Jim Taylor Field in Ocala, FL.

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 proposes to amend 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 Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, dated October 3, 2008, and effective October 31, 2008, is amended as follows:

Paragraph 5000 Class D Airspace.

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ASO FL D OCALA, FL [NEW]

Ocala International Airport—Jim Taylor Field, Ocala, FL

(Lat. 29°10'21" N, long. 082°13'27" W)

That airspace extending upward from the surface of the Earth to and including 1,500 feet MSL within a 4.4-mile radius of the Ocala International Airport—Jim Taylor Field. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area.

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ASO FL E4 OCALA, FL [NEW]

Ocala International Airport—Jim Taylor Field, Ocala, FL

(Lat. 29°10'21" N, long. 082°13'27" W)

That airspace extending upward from the surface of the Earth within 2.4 miles each side of the 174° radial from the airport from 4.4 miles to 7.9 miles southeast of the airport. This Class E Surface airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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ASO FL E5 OCALA, FL [REVISED]

Ocala International Airport—Jim Taylor Field, Ocala, FL

(Lat. 29°10'21" N, long. 082°13'27" W)

That airspace extending upward from 700 feet above the surface within a 7.9-mile radius of Ocala International Airport—Jim Taylor Field.

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Issued in College Park, Georgia, on June 9, 2009.

Signed by:

Barry A. Knight,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. E9–14821 Filed 6–23–09; 8:45 am]

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DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Prisoners Serving Sentences Under the United States and District of Columbia Codes; Correction

AGENCY: United States Parole Commission, Department of Justice.

ACTION: Interim rule; correction.

SUMMARY: On June 17, 2009, the U.S. Parole Commission published an interim rule with request for comments. The effective date for the rule was inadvertently omitted from the document. This correction establishes June 17, 2009, as the effective date of the interim rule. Comments continue to be accepted until August 31, 2009. The Parole Commission also is taking this opportunity to make some technical corrections to the rule.

DATES: *Effective Date:* The interim rule published June 17, 2009 (74 FR 28602) is effective June 17, 2009.

FOR FURTHER INFORMATION CONTACT: Rockne Chickinell, Office of the General Counsel, U.S. Parole Commission, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815, telephone (301) 492–5959.

SUPPLEMENTARY INFORMATION: In rule FR Doc. 2009–14157 published on June 17, 2009 (74 FR 28602), make the following corrections:

■ 1. On page 28602, in the third column, after **DATES:**, add the phrase "This interim rule is effective June 17, 2009."

§ 2.43 [Corrected]

■ 2. On page 28604, in the third column, the paragraph designations "(A)" and "(B)" under paragraph (g)(1) are corrected to read "(i)" and "(ii)", respectively.

§ 2.65 [Corrected]

■ 3. On page 28605, in the first column in § 2.65(i), in the third and fourth lines, the words "these regulations" are revised to read "this part".

§ 2.95 [Corrected]

■ 4. On page 28605, in the second column, the paragraph designations "(A)" and "(B)" under paragraph (e)(1) are corrected to read "(i)" and "(ii)", respectively.

§ 2.96 [Corrected]

■ 5. On page 28605, in the third column, in amendatory instruction 9, after the