

Corrections

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This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents and volumes of the Code of Federal Regulations. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

Proclamation 5768 of February 4, 1988

National Tourism Week, 1988

By the President of the United States of America

A Proclamation

Correction

In Presidential Proclamation 5768 appearing on page 3573 in the issue of Monday, February 8, 1988, make the following correction:

The file line at the end of the document was partially omitted and should have read as follows:

[FR Doc 88-2725 Filed 2-4-88; 4:08 pm]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 200

[Docket No. R-87-1357, FR-2382]

Mortgage Insurance for the Allegany Reservation of the Seneca Nation of Indians

Correction

In rule document 87-29092 beginning

on page 48197 in the issue of Monday, December 21, 1987, make the following correction:

§ 200.163 [Corrected]

On page 48201, in the first column, in § 200.163(a)(2), in the seventh line, "203(g)" should read "200(q)".

BILLING CODE 1505-01-D

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

[Docket No. N-86-1766; FR 2441]

Mortgage and Loan Insurance Programs Under the National Housing Act; Debenture Interest Rates

Correction

In notice document 88-1022 appearing on page 1521 in the issue of Wednesday, January 20, 1988, make the following corrections:

1. In the first column, the docket number should read as set forth above.

2. In the same column, under SUMMARY, in the seventh line from the bottom, "instance" should read "insurance".

3. In the second column, in the table, in the first column, in the next to the last entry "8" should read "9"; in the last column, in the fifth entry, the date should read "July 1, 1981"; and in the seventh entry, the date should read "Jan. 1, 1983".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 87-ANE-43; Amdt. 39-5630]

Airworthiness Directives; Marvel Schebler (Facet Aerospace Products Company) Carburetors, Model MA-3PA, Part Numbers A10-5220, A10-5257, and A10-5267, Manufactured After June 30, 1985, and Used on Textron Lycoming Model O-235-C1C, O-235-H2C, O-235-L2A, O-235-L2C, O-235-N2C, O-235-P1 Engines

Correction

In rule document 88-1055 beginning on page 1611 in the issue of Thursday, January 21, 1988, make the following correction:

On page 1612, at the bottom of the third column and on page 1613 at the top of the first column, the list of carburetors and serial numbers should have been displayed as a table. Therefore, the information is unchanged but printed in table format below:

Carburetors	Serial Number
Model: MA-3PA	DD-4-1583 through DD-4-1610,
P/N: A10-5220	DD-4-1613, DD-4-1614, DD-4-1617,
(Lycoming P/N: LW-16072)	DD-4-1619 through DD-4-1622,
Lycoming Engine Models: 0-235-C1C,	DD-4-1624 through DD-4-1627,
0-235-L2A, and 0-235-L2C	DD-4-1629, DD-4-1632, and DD-4-1633
Model: MA-3PA	DM-3-1818 through DM-3-1826,
P/N: A10-5257	
(Lycoming P/N: LW-16677)	
Lycoming Engine Models: 0-235-L2C and 0-235-H2C	DM-3-1828, and DM-3-1829
Model: MA-3PA	DT-3-1911 through DT-3-1913,
P/N: A10-5267	DT-3-1916, DT-3-1917,
(Lycoming P/N: LW-16677)	DT-3-1920, DT-3-1921, and
Lycoming Engine Models: 0-235-L2C, 0-235-N2C, and 0-235-P1	DT-3-1923 through DT-3-1981

BILLING CODE 1505-01-D

FA 47-23, 49-9

correct

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 47 and 49

[Docket No. 20349; Amdt. Nos. 47-23 and 49-9]

Recordation of Conveyances Affecting Title to, or an Interest in, Aircraft

Correction

In rule document 88-1376 beginning on page 1911 in the issue of Monday, January 25, 1988, make the following corrections:

1. On page 1912, in the second column, in the second complete paragraph, in the sixth line, "delegate" should read "delete".

2. On page 1913, in the second column, in the second complete paragraph, in the ninth line, delete "been".

3. On page 1914, in the second column, in the first complete paragraph, in the ninth line, "contract" should read "contracts".

4. In the same column, in the second complete paragraph, in the fifth line, insert "prior" after "interest"; and in the eighth line, "contract" should read "contracts".

5. On page 1915, in the first column, in the first complete paragraph, in the ninth line, "contract" should read "contracts".

6. In the same column, four lines from the bottom, insert "their" after "protect".

BILLING CODE 1505-01-D

SFAR 51-1

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 91

[Airspace Docket No 87-AWA-31; SFAR 51-1]

Special Flight Rules in the Vicinity of the Los Angeles International Airport; CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This Special Federal Aviation Regulation (SFAR) establishes a Special Flight Rules Area over Los Angeles International Airport. This action allows visual flight rules (VFR) traffic to transition over the Los Angeles International Airport under specific conditions without obtaining an air traffic control (ATC) clearance.

EFFECTIVE DATE: 0901 UTC, March 10, 1988.

FOR FURTHER INFORMATION CONTACT:

Joe Gill, Airspace Branch (ATO-240), Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-9252.

SUPPLEMENTARY INFORMATION:

Availability of SFAR

Any person may obtain a copy of this Special Federal Aviation Regulation (SFAR) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the number of this SFAR. Persons interested in being placed on a mailing list for future SFAR's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

History

Federal Aviation Regulations (FAR) Part 71, § 71.12, established terminal control areas (TCA) for the positive control of air traffic in the vicinity of major airports. Operations in a TCA are subject to the restrictions set forth in FAR 91.24, ATC Transponder and Altitude Reporting Equipment and Use, and FAR 91.90, Terminal Control Areas. In brief, pilots must obtain prior clearance from ATC before operating in the TCA, and aircraft must be equipped with a radio capable of two-way communications, an operable VOR or

TACAN receiver (except for helicopters), a radar transponder, and Mode C automatic altitude reporting equipment. The requirements for an ATC clearance prior to operation in the TCA, and for sophisticated navigation, radar beacon and automatic altitude reporting equipment, have the effect of providing ATC with continuous location and altitude information and positive control of all aircraft in the TCA.

The FAA initiated an intensive review of TCA configuration and operation by a special task group following a midair collision between an air carrier DC-9 and a single engine private plane in the Los Angeles TCA over Cerritos, CA, August 1986. One of the recommendations made by the TCA review task group and subsequently adopted by the agency was to standardize and simplify TCA configuration. One aspect of the proposed configuration was to raise the ceiling of TCA's to 12,500 feet mean sea level (MSL), to preclude operations by aircraft without transponders and automatic altitude reporting (Mode C) equipment above the top of the TCA. Currently a transponder with Mode C is required for all operations above 12,500 feet MSL. As a result of the recommendations, the FAA issued a Notice of Proposed Rulemaking (NPRM) as Airspace Docket 87-AWA-31, Proposed Alteration of the Los Angeles Terminal Control Area (52 FR 29612), August 10, 1987.

The FAA, as evidenced from the NPRM, continually monitors the safe and orderly flow of air traffic in TCA's. On August 11, 1987, an American Airlines Boeing 737 pilot reported a near midair collision with a single engine aircraft above the Los Angeles TCA inside the airspace proposed to be included in the NPRM. The small aircraft did not appear on ATC radar and apparently did not have, and was not required to have, a radar transponder which would have produced a clear target on the controller's screen.

Subsequent to the American Airlines incident, the FAA, on August 19, 1987, issued SFAR 51 which, by immediate rule, amended the configuration of the Los Angeles TCA by raising the ceiling to 12,500 feet MSL and eliminating the visual flight rules (VFR) corridor excluded from the TCA. Even though the SFAR was issued as a final rule without a notice period, the FAA gave the same consideration for the concerns and ideas of interested parties by establishing a comment period which remained open until December 9, 1987. Additionally, four public meetings were held to

receive comments on SFAR 51 and the NPRM.

Discussion of Comments

See SFAR 51-1A

Over 1,700 comments were received in the public docket. Those which addressed modification of the Los Angeles TCA boundaries or configuration etc., will be discussed in the rulemaking for the original NPRM contained in 87-AWA-31. Those comments which spoke to the amendments contained in SFAR 51 have been considered in this rulemaking action. The comments received on the SFAR fell generally into three subject areas: (1) The VFR corridor; (2) the TCA ceiling, and (3) the administrative procedures followed by the FAA in adopting SFAR 51.

Several comments were received that were outside the scope of this rulemaking action and, therefore, will not be addressed here. Those subject areas included controller staffing, rules enforcement, pilot education, airline regulation, ATC equipment, the Aviation Trust Fund, and FAA independence from DOT.

The main area of concern expressed throughout the comments was the closure of the VFR corridor. The vast majority of commenters stated that closing the corridor would create an unsafe condition and would eventually cause a midair collision between general aviation aircraft trying to avoid the TCA. Many commenters stated that the compression of traffic below and to the sides of the TCA, due in part from the cumulative effect of closing the corridor and raising the ceiling of the TCA, also resulted in an unsafe condition. Recommendations from commenters concerning the corridor included: (1) Reopen the corridor; (2) reopen the corridor and charge a user fee (the funds from which were to be used to provide a controller to monitor the corridor); (3) reopen the corridor but assign a controller to monitor it; and (4) add a higher level corridor.

The FAA does not agree with reopening the VFR corridor. The FAA eliminated the corridor on the grounds that raising the ceiling to 12,500 feet MSL alone would have forced an unacceptable level of traffic through the VFR corridor. Flight around, under or through (with the appropriate ATC authorization) the TCA was more preferable from a safety standpoint than unrestricted flight through the corridor. However, based on the recommendations received, the FAA has developed an alternative to the VFR corridor that it believes will be safer than the corridor and will meet the

SFAR 51-1

needs of the users for a convenient north/south route. This alternative, a special flight rules area, will provide pilots with a safe and direct north/south route without the usual TCA requirement for an ATC authorization. For safety, operation in the Special Flight Rules Area is limited to nonturbojet aircraft operating at no more than 140 knots indicated airspeed (IAS).

In a related action which does not require rulemaking, the FAA is establishing two additional VFR transition routes through the Los Angeles TCA for other VFR aircraft. Pilots requesting a designated VFR transition route must comply with all TCA requirements including an ATC authorization. The two new VFR transition routes are the Hollywood Park Route and the Shoreline Route and will be published on the Los Angeles Sectional Chart, and the Los Angeles Terminal Area Chart.

The second area of concern expressed by commenters was raising the TCA ceiling to 12,500 feet MSL. A large number of commenters supported the action. Some of those who objected to the raised ceiling recommended that the former ceiling be reestablished, while others agreed with the ceiling being raised but wanted it at a lower altitude. The recommended altitudes were 8,000, 9,000 or 10,000 feet MSL.

The FAA does not agree. The FAA TCA Review Task Group convened in September 1986 not only validated the TCA concept but also recommended raising the ceilings of TCA's to a standard altitude of 12,500 feet MSL. The 12,500 foot ceiling serves to protect the arrival and departure paths of aircraft at high-traffic airports in major metropolitan areas. The altitudes below 12,500 feet MSL are where the cockpit demands on the flightcrew are the heaviest and where large jet aircraft are most likely to mix with other types of traffic. The FAA finds a clear safety benefit in providing the controller with the opportunity to be aware of all transiting aircraft operating at these critical altitudes. The FAA has determined, therefore, to retain the current configuration of the Los Angeles TCA at 12,500 feet MSL and to continue requiring all aircraft desiring to transit this airspace to have an ATC clearance.

Finally, several commenters questioned whether the FAA complied with the requirements of administrative procedures in issuing SFAR 51 without providing prior public comment. Prior to implementation, the FAA determined that safety considerations in the Los Angeles TCA warranted immediate action. The preamble to SFAR 51

contained a finding that good cause existed for a final rule and addressed this issue adequately. The agency is still convinced that the circumstances supported an immediate rule change without prior notice. However, even though SFAR 51 was issued as a final rule, the FAA requested comments on the rule. The comments received were considered and formed the basis for this SFAR.

The Rule

This action designates a portion of the Los Angeles TCA as a Special Flight Rules Area. That portion of Area A from 3,500 feet MSL up to 4,500 feet MSL, inclusive, bounded on the north by Ballona Creek, on the east by the San Diego Freeway, on the south by the Imperial Highway and on the west by the Pacific Ocean shoreline, is designated the Los Angeles Special Flight Rules Area. In addition, this SFAR establishes specific rules for operation in this Special Flight Rules Area. In summary, the special rules do the following:

1. Limit operation to VFR. Operations in the Special Flight Rules Area are on a see-and-avoid basis and require VFR weather conditions. Special VFR operations will not be permitted.
2. Aircraft shall have the equipment as specified in FAR 91.24(b) which includes transponder with Mode C.
3. Require that pilots have the current Los Angeles Terminal Area aeronautical chart showing the Special Flight Rules Areas.
4. Require operation on the Santa Monica VOR 132° radial, in level flight, at 3,500 feet MSL for southeastbound traffic and 4,500 feet MSL for northwestbound traffic.
5. Limit airspeed to 140 knots IAS or lower.
6. Require use of anticollision and position/navigation lights and recommend use of landing lights.
7. Prohibits VFR turbojet operations in the Special Flight Rules Area, on the basis that turbojet aircraft could not operate safely within the 140 knot airspeed limitation. As mentioned previously, VFR transition routes have been established for use by other aircraft, including turbojets, at higher altitudes and airspeeds than permitted in the Special Flight Rules Area.

For the reasons discussed, below under "REGULATORY EVALUATION", the FAA has determined that this regulation (1) is not a "major rule" under Executive Order 12291; and (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Regulatory Evaluation

The economic impact of SFAR 51-1 will be minimal. Many VFR pilots who, since August 19, 1987, have elected or have been required to circumnavigate the Los Angeles TCA will now be able to travel through the TCA. This should result in some degree of savings to these pilots, including fuel, wear and tear on the aircraft, and time. It is not possible to estimate these savings with any precision because specific data is not available to indicate the number of aircraft that were precluded from transiting the Los Angeles TCA; the number of those aircraft that would be able to or would choose to do so under SFAR 51-1, and the types of aircraft involved. However, the route provided in the Special Flight Rules Area for transiting the Los Angeles TCA, using the Santa Monica 132° radial, rather than circumnavigating the TCA, would reduce flight length by about 8 nautical miles. At 100 miles per hour, this converts to a savings of about 5 minutes. At 140 miles per hour the savings would be about 3 minutes. This rule will not require any actions or equipment that will result in costs over and above those already required by SFAR 51. Because some benefits accrue from the rule adopted, with no costs attributable to this rule, the FAA concludes that the benefits of the rule exceed its costs.

The Regulatory Evaluation has been placed in the public docket.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress in order to ensure, among other things, that small entities are not disproportionately affected by government regulations. The RFA requires agencies to review rules which may have "a significant economic impact on a substantial number of small entities."

For the reasons discussed above under "REGULATORY EVALUATION," the FAA has determined that SFAR 51-1 will not have a significant economic impact on a substantial number of small entities. Most aircraft operated by commercial entities are at present equipped to operate under IFR and, therefore, would not be impacted since they could operate in the Los Angeles TCA prior to adoption of this rule.

For these reasons, the FAA certifies that this SFAR will not result in a significant impact on a substantial number of small entities, and a regulatory flexibility analysis is not required.

List of Subjects in 14 CFR Part 91

General operating and flight rules.

Adoption of the Special Federal Aviation Regulations

For the reasons set out above, 14 CFR Part 91 is amended by adopting a new Special Federal Aviation Regulation to read as follows:

PART 91—[AMENDED]

Special Federal Aviation Regulation No. 51-1

Special Flight Rules in the vicinity of Los Angeles International Airport.

Section 1. Applicability: This rule establishes a special operating area for persons operating aircraft under visual flight rules (VFR) in the following airspace of the Los Angeles Terminal Control Area (TCA) designated as the Los Angeles Special Flight Rules Area:

That part of Area A of the Los Angeles TCA between 3,500 feet above mean sea level (MSL) and 4,500 feet MSL, inclusive, bounded on the north by Ballona Creek, on

the east by the San Diego Freeway, on the south by Imperial Highway, and on the west by the Pacific Ocean shoreline.

Section 2. Aircraft operations, general. Unless otherwise authorized by the Administrator, no person may operate an aircraft in the airspace described in Section 1 unless the operation is conducted under the following rules.

a. The flight shall be conducted under VFR and only when operation may be conducted in compliance with FAR 91.105(a).

b. The aircraft shall meet the equipment requirements specified in FAR 91.24(b) replying on Code 1201 prior to entering and while operating in this area.

c. The pilot shall have a current Los Angeles Terminal Area Chart in the aircraft.

d. The pilot shall operate on the Santa Monica very high frequency omni-directional radio range (VOR) 132° radial.

e. Operations in a southeasterly direction shall be in level flight at 3,500 feet MSL.

f. Operations in a northwesterly direction shall be in level flight at 4,500 feet MSL.

g. Indicated airspeed shall not exceed 140 knots.

h. Anticollision lights and aircraft position/navigation lights shall be on. Use of landing lights is recommended.

i. Turbojet aircraft are prohibited from VFR operations in this area.

Section 3. Notwithstanding the provisions of FAR 91.90(a), an air traffic control authorization is not required in the Los Angeles Special Flight Rules Area for operations in compliance with Section 2 of this SFAR. All other provisions of FAR 91.90 apply to operate in the Special Flight Rules Area.

Authority: 49 U.S.C. 1303, 1348, 1354(a), 1421, and 1422; 16 U.S.C. 106(g), (Revised Public Law 97-449, January 12, 1983).

Issued in Washington, DC, on February 2, 1988.

T. Allan McArtor,
Administrator.

[FR Doc. 88-2596 Filed 2-8-88; 8:45 am]

BILLING CODE 4910-13-M