

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-0627; Airspace Docket No. 11-ASO-27]

#### Proposed Amendment of Class E Airspace; Pelion, SC

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

**ACTION:** Notice of proposed rulemaking (NPRM), withdrawal.

**SUMMARY:** A notice of proposed rulemaking published in the **Federal Register** on August 22, 2011 amending Class E airspace at Lexington County Airport at Pelion, Pelion, SC, is being withdrawn. Upon review, the FAA found that controlled airspace already exists for this airport under a different city designator and airport name, and substantial corrections would need to be made. In the interest of clarity, a new proposal amending existing airspace and establishing airspace with the new information will be submitted under a separate rulemaking.

**DATES:** Effective December 14, 2011, the proposed rule published August 22, 2011 (76 FR 52290), is withdrawn. 0901 UTC.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### History

On August 22, 2011, a NPRM was published in the **Federal Register** amending Class E airspace at Pelion, SC to accommodate new standard instrument approach procedures for Lexington County Airport at Pelion (76 FR 52290). Subsequent to publication the FAA found that the airspace currently existed under the airport's previous name of Corporate Airport and

the city designator of Columbia, SC. To avoid confusion this proposed rule is being withdrawn and will be established under another rulemaking with the new airport name and designation, along with an amendment for the Columbia, SC controlled airspace area removing Corporate Airport from the description.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Withdrawal

Accordingly, pursuant to the authority delegated to me, the Notice of Proposed Rulemaking, as published in the **Federal Register** on August 22, 2011 (76 FR 52290) (FR Doc. 2011-21827), is hereby withdrawn.

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in College Park, Georgia, on December 5, 2011.

**Mark D. Ward,**

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

[FR Doc. 2011-32039 Filed 12-13-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-1196; Airspace Docket No. 11-ASO-38]

#### Proposed Amendment of Class E Airspace; Columbia, SC, and Proposed Establishment of Class E Airspace; Pelion, SC

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend Class E Airspace at Columbia, SC by removing Corporate Airport from the airspace designation, and would establish Class E Airspace at Pelion, SC, using the new airport name, as new Standard Instrument Approach Procedures have been developed at Lexington County Airport at Pelion. This action would enhance the safety and airspace management of Instrument Flight Rules (IFR) operations at the

airport. This action also would update the geographic coordinates of the airport.

**DATES:** Comments must be received on or before January 30, 2012. 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 Ave. SE., Washington, DC 20590-0001; Telephone: 1-(800) 647-5527; Fax: (202) 493-2251. You must identify the Docket Number FAA-2011-1196; Airspace Docket No. 11-ASO-38, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2011-1196; Airspace Docket No. 11-ASO-38) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2011-1196; Airspace

Docket No. 11–ASO–38.” The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <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/](http://www.faa.gov/airports/airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see the **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 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA’s Office of Rulemaking, (202) 267–9677, to request a copy of Advisory circular No. 11–2A, Notice of Proposed Rulemaking distribution System, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class E airspace extending upward from 700 feet above the surface at Columbia, SC, by removing Corporate Airport from the airspace designation and would establish Class E airspace extending upward from 700 feet above the surface to support new standard instrument approach procedures developed at Lexington County Airport at Pelion, Pelion, SC, formerly Corporate Airport. Airspace reconfiguration is necessary due to the design of new arrival procedures, and for continued safety and management of IFR operations at the airport. The geographic coordinates also would be adjusted to coincide with the FAAs aeronautical database.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, 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 FAA has determined that this proposed 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 proposed rule, when promulgated, would 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 proposed 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 proposed regulation is within the scope of that authority as it would amend Class E airspace at Columbia, SC and establish Class E airspace at Lexington County Airport at Pelion, Pelion, SC.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed 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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

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

\* \* \* \* \*

#### ASO SC E5 Columbia, SC [Amended]

Columbia Metropolitan Airport, SC  
(Lat. 33°56′20″ N., long. 81°07′10″ W.)  
Columbia Owens Downtown Airport  
(Lat. 33°58′14″ N., long. 80°59′43″ W.)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Columbia Metropolitan Airport and within a 6.5-mile radius of Columbia Owens Downtown Airport.

\* \* \* \* \*

#### ASO SC E5 Pelion, SC [New]

Lexington County Airport at Pelion, Pelion, SC  
(Lat. 33°47′41″ N., long. 81°14′45″ W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Lexington County Airport at Pelion.

Issued in College Park, Georgia, on December 5, 2011.

**Mark D. Ward,**

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

[FR Doc. 2011–32041 Filed 12–13–11; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Parts 37 and 38

**RIN 3038–AD18**

### Process for a Designated Contract Market or Swap Execution Facility To Make a Swap Available To Trade

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Further notice of proposed rulemaking.

**SUMMARY:** The Commodity Futures Trading Commission (“Commission”) is proposing regulations that establish a process for a designated contract market (“DCM”) or swap execution facility (“SEF”) to make a swap “available to trade” as set forth in new Section 2(h)(8) of the Commodity Exchange Act (“CEA”) pursuant to Section 723 of the