

Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

**SUPPLEMENTARY INFORMATION:** A Notice of Proposed Rulemaking was published in the *Federal Register* on Thursday, March 1, 1979 [44 FR 11557], which proposed the alteration of the Chester, South Carolina, Transition Area. No objections were received from this Notice.

#### Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR 71) is amended, effective 0901 GMT, May 30, 1979, by adding the following:

##### *Chester, South Carolina*

... within three miles each side of the 353° bearing from the Chester RBN (Latitude 34°46'56" N., Longitude 81°11'48" W.), from the 7-mile radius area to 8.5 miles north of the RBN ...

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

**Note.**—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Georgia, on April 25, 1979.

Phillip M. Swatek,  
Director, Southern Region.

[Airspace Docket No. 79-SO-13]  
[FR Doc. 79-13869 Filed 5-4-79; 8:45 am]

**BILLING CODE 4910-13-M**

#### 14 CFR Part 71

### Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area, Lake Wales, Florida

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

**ACTION:** Final rule.

**SUMMARY:** A public use Standard Instrument Approach Procedure has been developed for the Lake Wales Airport and additional controlled airspace is necessary for containment of IFR operations. This rule will lower the base of controlled airspace in the

vicinity of the Lake Wales Airport from 1,200 to 700 above ground.

**EFFECTIVE DATE:** 0901 GMT, June 14, 1979.

**ADDRESS:** Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

**FOR FURTHER INFORMATION CONTACT:** Ronald T. Niklasson, Airspace and Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

**SUPPLEMENTARY INFORMATION:** A Notice of Proposed Rulemaking was published in the *Federal Register* on Monday, March 5, 1979 (44 FR 12045), which proposed the designation of the Lake Wales, Florida, transition area. No objections were received from this Notice.

#### Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR 71) is amended, effective 0901 GMT, June 14, 1979, by adding the following:

##### *Lake Wales, Florida*

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the Lake Wales Municipal Airport (latitude 27°53'39"N., longitude 81°37'12"W.) excluding that portion within the Lakeland, Florida, transition area.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

**Note.**—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Georgia, on April 25, 1979.

Phillip M. Swatek,  
Director, Southern Region.

[Airspace Docket No. 79-SO-17]  
[FR Doc. 79-13670 Filed 5-4-79; 8:45 am]

**BILLING CODE 4910-13-M**

#### 14 CFR Part 71

### Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area, Clayton, Alabama

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

**ACTION:** Final rule.

**SUMMARY:** This rule will designate the Clayton, Alabama, Transition Area and will lower the base of controlled airspace within a 6.5 mile radius of the Clayton Municipal Airport from 1,200 to 700 feet AGL to accommodate Instrument Flight Rule (IFR) operations. A new public use instrument approach procedure has been developed for the Clayton Municipal Airport, and the additional controlled airspace is required to protect aircraft conducting Instrument Flight Rule (IFR) operations.

**EFFECTIVE DATE:** June 14, 1979.

**ADDRESS:** Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

**FOR FURTHER INFORMATION CONTACT:** William F. Herring, Airspace and Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

**SUPPLEMENTARY INFORMATION:** A Notice of Proposed Rulemaking was published in the *Federal Register* on Monday, March 19, 1979 (44 FR 16440), which proposed the designation of the Clayton, Alabama, transition area. No objections were received from this notice.

#### Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR 71) is amended, effective 0901 GMT, June 14, 1979, by adding the following:

##### *Clayton, Alabama*

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of Clayton Municipal Airport (Latitude 31°53'00" N, Longitude 85°29'00" W.)

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

**Note.**—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations,

the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Georgia, on April 25, 1979.

Phillip M. Swatek,  
Director, Southern Region.

[Airspace Docket No. 79-50-16]  
[FR Doc. 79-13871 Filed 5-4-79; 8:45 am]  
BILLING CODE 4910-13-M

#### 14 CFR Parts 121 and 135

### Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft and Air Taxi Operators and Commercial Operators; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** These amendments accomplish clarifications and correct certain minor omissions and typographical errors noted in Regulatory Review Program Amendment Nos. 121-147 and Revision of Part 135. These amendments are necessary to express correctly the FAA's intended statement of the rules. In addition, the compliance date is extended for the instrument rating requirement applicable to pilots in command of aircraft under visual flight rules.

**EFFECTIVE DATE:** May 7, 1979.

**FOR FURTHER INFORMATION CONTACT:** Mr. Raymond E. Ramakis, Regulatory Projects Branch, Safety Regulations Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591; telephone (202) 755-8716.

**SUPPLEMENTARY INFORMATION:** In September 1978 Amendment Nos. 121-147, 127-135, and Revision of Part 135 were issued under the Regulatory Review Program. A Review of those amendments shows that there were minor errors and omissions and that clarifying changes are needed in some sections of Parts 121 and 135. Also, it has been determined that it is necessary to extend the compliance date of one requirement. The reasons for each of the amendments are explained below:

1. § 121.9. There was a typographical error in this section. The phrase "E through K" should read "E through V" as proposed in Notice No. 77-17.

2. § 135.10. The FAA has received numerous petitions requesting exemptions from the instrument rating requirement prescribed in § 135.243(b)(3). As a result, the FAA has

determined that additional rule making regarding that requirement should be initiated before compliance with the requirement becomes mandatory. Accordingly, this amendment extends the compliance date for the instrument rating requirement until December 1, 1980. After this amendment becomes effective, the FAA will issue a notice of proposed rule making and propose appropriate changes to the rule requiring an instrument rating in § 135.243(b)(3).

3. § 135.67. It has been determined that the Air Traffic Service has procedures for collecting and disseminating information regarding potentially hazardous meteorological conditions and irregularities in communications or navigational facilities. Therefore, it is not necessary to require the pilot to request that this information be disseminated and the words "and request that the information be disseminated" are deleted. This will relieve pilots of an unnecessary burden.

4. § 135.149. In § 135.149(d) the reference to "§ 21.205" was a typographical error. It should read "§ 21.305".

5. § 135.245. Section 135.243(b)(4) allows a pilot in command of a helicopter to operate visual flight rules (VFR) below a ceiling without holding an instrument rating. Section 135.245 requires all second-in-command pilots to hold an instrument rating. This requirement is greater than that for pilots in command. To correct this unintended and anomalous result, § 135.245 has been revised by adding an amended first paragraph designated (a) and by adding a new paragraph (b) to allow second-in-command helicopter pilots to fly other than over-the-top without requiring an instrument rating.

6. Section 135.335. This section has been revised to clarify which subsections apply to both simulators and training devices and which apply to only simulators. Additionally, § 135.335(c) has been redesignated paragraph (d) and a new paragraph (c) has been added to make it clear that an appropriate simulator or other training device may be used by more than one certificate holder.

It should also be noted that in the explanation of § 135.227, the reference in the second sentence of the second paragraph to "§ 135.229" was a typographical error. It should have read "§ 135.227".

Since these amendments extend a compliance date and are clarifying and editorial in nature and implement changes required to carry out the intent of amendments under revised Part 135, or are relaxatory, and impose no

additional burden on any person, I find that notice and public procedure are unnecessary and that good cause exists for making them effective in less than 30 days. However, the FAA invites interested persons to submit such written data, views, or arguments as they may desire regarding these amendments. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before July 9, 1979, will be considered by the Administrator and these amendments may be changed in the light of the comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

#### The Amendments

Accordingly, Parts 121 and 135 of the Federal Aviation Regulations are amended, effective May 7, 1979, as follows:

#### PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

##### § 121.9 [Amended]

1. By revising this section to delete the letter "K" and substitute in its place the letter "V".

#### PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

2. By amending § 135.10 to delete § 135.10(a)(4), by redesignating paragraph (c) as (d), and by adding a new paragraph (c) to read as follows:

##### § 135.10 Compliance dates for certain rules.

(c) A certificate holder or pilot is allowed until December 1, 1980, to comply with the instrument rating requirement of § 135.243(b)(3).

(d) \* \* \*

##### § 135.67 [Amended]

3. By revising this section to delete the words "and request that the information be disseminated" at the end of the paragraph.

##### § 135.149 [Amended]

4. By revising § 135.149(d) to delete the reference to "§ 21.205" and substitute in its place "§ 21.305".

**§ 135.245 [Amended]**

5. By revising § 135.245 to amend the existing paragraph and designate it as (a) and to add a new paragraph (b) to read as follows:

**§ 135.245 Second in command qualifications.**

(a) Except as provided in paragraph (b), no certificate holder may use any person, nor may any person serve, as second in command of an aircraft unless that person holds at least a commercial pilot certificate with appropriate category and class ratings and an instrument rating. For flight under IFR, that person must meet the recent instrument experience requirements of Part 61 of this chapter.

(b) A second in command of a helicopter operated under VFR, other than over-the-top, must have at least a commercial pilot certificate with an appropriate aircraft category and class rating.

6. By revising § 135.335 to amend paragraph (b), redesignate paragraph (c) as (d), and add a new paragraph (c) to read as follows:

**§ 135.335 Approval of aircraft simulators and other training devices.**

- (b) \* \* \*
- (1) \* \* \*
- (i) The certificate holder; and
- (ii) The particular maneuver, procedure, or crewmember function involved.
- (2) \* \* \*
- (3) Additionally, for aircraft simulators, it must be—
- (i) Approved for the type aircraft and, if applicable, the particular variation within type for which the training or check is being conducted; and
- (ii) Modified to conform with any modification to the aircraft being simulated that changes the performance, functional, or other characteristics required for approval.
- (c) A particular aircraft simulator or other training device may be used by more than one certificate holder.
- (d) In granting initial and final approval of training programs or revisions to them, the Administrator considers the training devices, methods, and procedures listed in the certificate holder's curriculum under § 135.327.

(Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 [49 U.S.C. 1354(a), 1355(a), 1421 through 1430, and 1502]; Sec. 6(c), Department of Transportation Act [49 U.S.C. 1655(c)].)

The Federal Aviation Administration has determined that this document involves a regulation which is not significant under

Executive Order 12044, as implemented by DOT in Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). In addition, since these amendments extend a compliance date and are editorial and clarifying in nature, or are relaxatory, and impose no additional burden on any person, the Federal Aviation Administration has determined that the anticipated impact is so minimal that an evaluation is not required.

Issued in Washington, D.C., on April 27, 1979.

[Docket No. 16097; Amdt. Nos. 121-152 and 135-1]

[FR Doc. 79-13879 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

**CIVIL AERONAUTICS BOARD****14 CFR Part 287****Interlocks With Commercial Lending Institutions**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., April 30, 1979.

**AGENCY:** Civil Aeronautics Board.

**ACTION:** Final Rule.

**SUMMARY:** The CAB is extending the expiration date of a regulation exempting air carriers from obtaining prior Board approval of interlocking relationships with commercial lending institutions. The Board is extending the expiration date, at the request of Braniff Airways, until September 30, 1979, pending final action on a jurisdictional question.

**DATES:** Adopted: April 30, 1979.  
Effective: April 30, 1979.

**FOR FURTHER INFORMATION CONTACT:** Mark Frisbie, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428, (202) 673-5442.

**SUPPLEMENTARY INFORMATION:** On March 23, 1966, the Board adopted 14 CFR 287.3a [31 FR 5121, March 30, 1966], exempting air carriers from obtaining prior Board approval for interlocking relationships with commercial lending institutions as long as the air carrier does not engage in leasing transactions with the commercial lending institution. The exemption was originally granted on a 3-year experimental basis, and has been extended for 1- or 2-year intervals since then. It is due to expire on April 30, 1979.

The Deregulation Act of 1978 (Pub. L. 95-504) amended section 409 of the Federal Aviation Act, governing interlocking relationships, to apply only to such relationships between persons "substantially engaged in the business of aeronautics" rather than to persons

"engaged in any phase of aeronautics," as it had previously read. The Board is considering, in Dockets 31725, 30595, and 24420, whether any interlocking relationships between air carriers and commercial lending institutions are within its jurisdiction under the new amendment. Pending determination of the jurisdiction matter, we are continuing the exemption in § 287.3a. When the jurisdictional question has been resolved, we will decide whether to make the exemption permanent, extend it for another definite period, or allow it to expire. We find the exemption to be in the public interest for the same reasons that led us to adopt it originally: the burden of monitoring interlocks and applying for approval in the marginal situations covered by the rule is much greater than the public benefits that might result from such a requirement. Our past experience confirms this judgment.

Because of the imminent expiration date of the current rule, because the underlying issues are being considered in other proceedings, and because this is a substantive rule that grants or recognizes an exemption, we find for good cause that notice and public procedure are impracticable, unnecessary, and contrary to the public interest, and that the rule should be made effective immediately.

Accordingly, the Civil Aeronautics Board amends § 287.3a of 14 CFR Part 287, *Exemption and application of certain interlocking relationships*, to read as follows:

**§ 287.3a Exemption of air carriers with respect to interlocking relationships with commercial lending institutions.**

In addition to the exemptions provided in §§ 287.2 and 287.3, and subject to the other provisions of this part, air carriers are hereby relieved from the provisions of section 409 of the Act and Part 251 of this chapter with respect to any interlocking relationship between any such air carrier and a commercial lending institution which does not lease aircraft to the air carrier. *Provided, however,* That such exemption shall expire on September 30, 1979, and shall extend only to the relationship involving a director of the air carrier who is not an officer or employee of the air carrier or a stockholder holding a controlling interest in the air carrier (or the representative or nominee of any such person) and who is not a member of the commercial lending institution: *Provided, further,* That in order to qualify for an exemption under this section air carriers shall file with the