

91-234

and lat. 27°41'30" N., long. 97°28'40" W. This Class D airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Fort Worth, TX, on September 9, 1993.

Larry L. Craig,  
Manager, Air Traffic Division, Southwest Region.

[FR Doc. 93-22904 Filed 9-17-93; 8:45 am]  
BILLING CODE 4910-13-M

**14 CFR Part 91**

[Docket No. 24456; Amendment No. 91-234]

**Airspace Reclassification**

**AGENCY:** Federal Aviation Administration (FAA), DOT.  
**ACTION:** Final rule; correcting amendment.

**SUMMARY:** This action amends the Airspace Reclassification final rule promulgated on December 17, 1991, regarding minimum altitudes to be maintained by certain types of aircraft in Class D airspace when entering a traffic pattern or approaching to land on a runway served by an instrument landing system (ILS), or by any airplane approaching to land on a runway served by a visual approach slope indicator (VASI). This action is necessary to ensure that the operating rules continue as intended on September 16, 1993, the implementation date of Airspace Reclassification.

**EFFECTIVE DATE:** This amendment is effective September 16, 1993.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joseph C. White or Ms. Melodie M. DeMarr, Air Traffic Rules Branch (ATP-230), Airspace-Rules and Aeronautical Information Division, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 17, 1991, the FAA published the Airspace Reclassification final rule (56 FR 65638) which, among other things, changed the wording of many operating rules by replacing the existing airspace terminology with the new classes of airspace. These changes become effective September 16, 1993.

Prior to September 16, 1993, FAR § 91.129, "Operations at airports with operating control towers," contained requirements for minimum altitudes to be maintained for certain types of aircraft when approaching an airport to enter the airport traffic area and traffic

pattern or approaching a runway served by the ILS or, by any airplane, when approaching a runway served by a VASI. The Airspace Reclassification final rule amended § 91.129 by eliminating references to the "airport traffic area," which no longer exists after September 16, 1993, and by replacing references to operation at "airports with operating control towers" with operations in Class D airspace. Inadvertently, § 91.129(e)(3), as amended under the Airspace Reclassification final rule, requires only large and turbine-powered aircraft to remain at or above the glide slope while approaching to land on a runway served by a VASI in Class D airspace until a lower altitude is necessary for a safe landing. Prior to the promulgation of the Airspace Reclassification rule all aircraft were required to remain at or above the glide slope to meet this requirement.

**The Rule**

This action enhances the safety of certain aircraft operations in Class D airspace and continues the intent of the regulation which existed prior to September 16, 1993, by making § 91.129(e)(3) applicable to all aircraft. Specifically, this rule amends § 91.129(e)(3) requiring all aircraft approaching to land on a runway served by a VASI to maintain an altitude at or above the glide slope until a lower altitude is necessary for safe landing. I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable because immediate corrective action is required in the interest of flight safety. The FAA finds good cause pursuant to 5 U.S.C. 553(d), for making this amendment effective in less than thirty days in order to promote flight safety.

The FAA has determined that this action: (1) is not a "major rule" under Executive Order 12291; (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.

**List of Subjects in 14 CFR Part 91**

Air traffic control, Aircraft, Airmen, Airports, Aviation safety.

**The Amendment**

Accordingly, 14 CFR part 91, in effect as of September 16, 1993, is amended as follows:

**PART 91—GENERAL OPERATING AND FLIGHT RULES**

1. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. app. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125; articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (61 stat. 1180); 42 U.S.C. 4321 et seq.; E.O. 11514, 35 FR 4247, 3 CFR, 1966-1970 Comp., p. 902; 49 U.S.C. 106(g).

2. Section 91.129 is amended by revising the introductory text to paragraph (e), and paragraphs (e) (1) through (3) to read as follows:

**§ 91.129 Operations in Class D airspace.**

\* \* \* \* \*

(e) Minimum Altitudes. When operating to an airport in Class D airspace, each pilot of—

(1) A large or turbine-powered airplane shall, unless otherwise required by the applicable distance from cloud criteria, enter the traffic pattern at an altitude of at least 1,500 feet above the elevation of the airport and maintain at least 1,500 feet until further descent is required for a safe landing;

(2) A large or turbine-powered airplane approaching to land on a runway served by an instrument landing system (ILS), if the airplane is ILS equipped, shall fly that airplane at an altitude at or above the glide slope between the outer marker (or point of interception of glide slope, if compliance with the applicable distance from cloud criteria requires interception closer in) and the middle marker; and

(3) An airplane approaching to land on a runway served by a visual approach slope indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.

\* \* \* \* \*

Issued in Washington, DC, on September 15, 1993.

Donald P. Byrne,  
Assistant Chief Counsel, Regulations Division.

[FR Doc. 93-22960 Filed 9-15-93; 2:35 pm]  
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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 20**

[Docket No. 93N-0270]

**Public Information; Availability of Agreements Signed by the Food and Drug Administration's Office of Criminal Investigations**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.