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**[4910-13]**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2016-6271; Airspace Docket No. 16-AGL-15]**

#### **Proposed Establishment of Class E Airspace; Iron Mountain, MI**

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

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

**SUMMARY:** This action proposes to amend Class E en route airspace around the Iron Mountain VHF omnidirectional range/distance measuring equipment, Iron Mountain, MI. This action would add additional airspace to facilitate the vectoring of Instrument Flight Rules (IFR) aircraft under control of the Minneapolis Air Route Traffic Control Center (ARTCC) in the Great Lakes area located north and northwest of the Iron Mountain, MI, VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) navigation aid. This proposed action would enhance the safety and management of aircraft operations within the National Airspace System (NAS).

**DATES:** Comments must be received on or before **[INSERT 45 DAYS FROM THE DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366-9826. You must identify FAA Docket No. FAA-2016-6271; Docket No.16-AGL-15, at the beginning of your comments. You may also submit comments through the Internet at

<http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527), is on the ground floor of the building at the above address.

FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 20591; telephone: 202-267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA order 7400.9Z at NARA, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Raul Garza Jr., Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone: 817-222-5874.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

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 would establish Class E airspace in the Iron Mountain, MI area.

### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking 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 and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2016-6271/Airspace Docket No. 16-AGL-15." The postcard will be date/time stamped and returned to the commenter.

### **Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet 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/](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 “ADDRESSES” section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Central Service Center, Operation Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

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.

#### **Availability and Summary of Documents Proposed for Incorporation by Reference**

This document would amend FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### **The Proposal**

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) Part 71 by amending Class E en route airspace in the Iron Mountain, MI, area, for the Iron Mountain VOR/DME. The FAA is proposing to add additional controlled airspace to the southern and northern boundaries of the Iron Mountain en route airspace area, and remove exclusionary information from the regulatory text. This proposed action would provide controlled airspace enabling Minneapolis ARTCC greater latitude

to use radar vectors and altitude changes within the entire area north and northwest of the Iron Mountain, MI, VOR/DME and remove unnecessary exclusion language for clarity.

The FAA also would amend Class E airspace extending upward from 700 feet above the surface at Iron Mountain, MI, to reflect the name change of the navigation aid from Iron Mountain VORTAC to Iron Mountain VOR/DME.

Class E airspace areas are published in Sections 6005 and 6006, respectively, of FAA Order 7400.9Z, dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

### **Regulatory Notices and Analyses**

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, is non-controversial and unlikely to result in adverse or negative comments. 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, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

### **List 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 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 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 FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015, is amended as follows:

Paragraph 6006. En Route Domestic Airspace Areas.

\* \* \* \* \*

#### **AGL MI E6 Iron Mountain, MI [Amended]**

Iron Mountain VOR/DME, MI  
(lat. 45°48'58"N., long. 088°06'44"W.)  
Thunder Bay Airport, ON, Canada  
(lat. 48°22'19"N., long. 089°19'26"W.)

That airspace extending upward from 1,200 feet above the surface within an area bounded by lat. 47°05'00"N., long. 086°40'39"W.; to lat. 47°05'00"N., long. 088°27'44"W.; to the Iron Mountain VOR/DME; to lat. 46°16'21"N., long. 089°47'13"W.; to lat. 46°52'34"N., long. 090°13'09"W. on the eastern boundary of the

Wisconsin E5 airspace area; then northeast along the boundary of the Wisconsin and Minnesota E5 airspace areas to the intersection of the 35 NM radius of the Thunder Bay Airport; then counterclockwise along the 35 NM radius of the Thunder Bay Airport to the intersection of the southern boundary of the Upper Peninsula E6 airspace area; then southeast along the boundary of the Upper Peninsula E6 airspace area to the point of beginning.

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

\* \* \* \* \*

**AGL MI E5 Iron Mountain, MI [Amended]**

Iron Mountain/Kingsford, Ford Airport, MI

(lat. 45°49'06"N., long. 88°06'52"W.)

Iron Mountain VOR/DME

(lat. 45°48'58"N., long. 88°06'44"W.)

That airspace extending upward from 700 feet above the surface within an 8.7-mile radius of Iron Mountain VOR/DME, and within 5.2 miles west and 8.3 miles east of the Iron Mountain ILS localizer south course extending from the 8.7-mile radius to 21 miles south of the Iron Mountain/Kingsford, Ford Airport, and within 4.4 miles each side of the Iron Mountain ILS localizer north course extending from the 8.7-mile radius to 16 miles north of the airport.

Issued in Fort Worth, TX, on July 18, 2016

Vonnie L. Royal,  
Manager, Operations Support Group,  
ATO Central Service Center.

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