



**4910-13**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2019-0842; Airspace Docket No. 18-AGL-15]**

**RIN 2120-AA66**

**Amendment of VOR Federal Airways V-59, V-92, V-115, and V-117 in the Vicinity of Newcomerstown, OH**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends VHF Omnidirectional Range (VOR) Federal airways V-59, V-92, V-115, and V-117 in the vicinity of Newcomerstown, OH. These modifications are necessary due to the planned decommissioning of the VOR portion of the Newcomerstown, OH (CTW), VOR/Distance Measuring Equipment (VOR/DME) navigation aid (NAVAID), which provides navigation guidance for portions of the affected air traffic service (ATS) routes. The Newcomerstown VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program and due to service availability issues.

**DATES:** Effective date 0901 UTC, September 10, 2020. 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11D, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/).

For further information, you can contact the Rules and Regulations Group, Federal Aviation

Administration, 800 Independence Avenue, SW, Washington, DC 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 7400.11D at NARA, email: [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

**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 the 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 modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

**History**

The FAA published a notice of proposed rulemaking for Docket No. FAA-2019-0842 in the FEDERAL REGISTER (84 FR 67381; December 10, 2019), amending VOR Federal airways V-59, V-92, V-115, and V-117 due to the planned decommissioning of the VOR portion of the Newcomerstown, OH, VOR/DME NAVAID. Interested parties were invited to participate in

this rulemaking effort by submitting written comments on the proposal. No comments were received.

VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.11D dated August 8, 2019, and effective September 15, 2019, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document will be subsequently published in the Order.

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

This document amends FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019. FAA Order 7400.11D is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11D lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **Differences From the Proposal**

The Choo Choo VOR/Tactical Air Navigation (VORTAC) NAVAID listed in the V-115 description is actually located in Chattanooga, Tennessee. As such, the state abbreviation for the NAVAID listed in the description should reflect the abbreviation “TN” instead of “GA”. This editorial correction to the V-115 description is included in this action.

### **The Rule**

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying VOR Federal airways V-59, V-92, V-115, and V-117. The planned decommissioning of the VOR portion of the Newcomerstown, OH, VOR/DME NAVAID has made this action necessary. The VOR Federal airway changes are described below.

**V-59:** V-59 extends between the Pulaski, VA, VORTAC and the Newcomerstown, OH, VOR/DME. The airway segment between the Parkersburg, WV, VOR/DME and the

Newcomerstown, OH, VOR/DME is removed. The unaffected portions of the existing airway remain as charted.

**V-92:** V-92 extends between the Chicago Heights, IL, VORTAC and the Goshen, IN, VORTAC; and between the Newcomerstown, OH, VOR/DME and the Bellaire, OH, VOR/DME. The airway segment between the Newcomerstown, OH, VOR/DME and the Bellaire, OH, VOR/DME is removed. The unaffected portion of the existing airway remains as charted.

**V-115:** V-115 extends between the Crestview, FL, VORTAC and the Franklin, PA, VOR/DME. The airway segment between the Parkersburg, WV, VORTAC and the Franklin, PA, VOR/DME is removed. Additionally, an editorial correction changes the state abbreviation for the Choo Choo VORTAC listed in the description from “GA” to “TN”. The unaffected portions of the existing airway remain as charted.

**V-117:** V-117 extends between the Parkersburg, WV, VORTAC and the intersection of the Bellaire, OH, VOR/DME 044° radial and the Newcomerstown, OH, VOR/DME 099° radial (WISKE fix). The WISKE fix in the airway description is amended to describe it as the intersection of the Bellaire, OH, VOR/DME 044° and the Briggs, OH, VOR/DME 136° radials. The existing airway remains as charted.

The NAVAID radials listed in the VOR Federal airway descriptions below are stated in True degrees.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

## **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. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## **Environmental Review**

The FAA has determined that this action of modifying VOR Federal airways V-59, V-92, V-115, and V-117 in the vicinity of Newcomerstown, OH, due to the VOR portion of the Newcomerstown, OH, VOR/DME being decommissioned, qualifies for categorical exclusion under the National Environmental Policy Act and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have

a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 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(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 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, is amended as follows:

**Paragraph 6010(a) Domestic VOR Federal Airways.**

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**V-59 [Amended]**

From Pulaski, VA; Beckley, WV; to Parkersburg, WV.

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**V-92 [Amended]**

From Chicago Heights, IL; to Goshen, IN.

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**V-115 [Amended]**

From Crestview, FL; INT Crestview 001° and Montgomery, AL, 204° radials; Montgomery; INT Montgomery 323° and Vulcan, AL, 177° radials; Vulcan; Choo Choo, TN; Volunteer, TN; Hazard, KY; Charleston, WV; to Parkersburg, WV.

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**V-117 [Amended]**

From Parkersburg, WV; Bellaire, OH; to INT Bellaire 044° and Briggs, OH, 136° radials.

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Issued in Washington, DC, on June 17, 2020.

Scott M. Rosenbloom,

Acting Manager, Rules and Regulations Group.

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