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[4910-13]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**[Docket No. FAA-2020-0800; Airspace Docket No. 20-ANM-43]**

**RIN 2120-AA66**

#### **Proposed Revocation of Class D and Amendment of Class E Airspace; Gillette, WY**

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

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

**SUMMARY:** This action proposes to remove the Class D airspace and modify the following:

Class E surface area, the Class E airspace as an extension to the surface area and the Class E airspace extending upward from 700 feet AGL at Gillette-County Airport, Gillette, WY. In addition, this proposal would remove the VOR/DME from the legal description and replace the outdated term Airport Facility/Directory with the term Chart Supplement.

After being informed that the Airport Traffic Control Tower at Gillette-County Airport is closed permanently, the FAA found it necessary to amend the existing airspace for the safety and management of Instrument Flight Rules (IFR) operations at this airport.

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

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: 1-800-647-5527, or (202) 366-9826. You must identify

FAA Docket No. FAA-2020-0800; Airspace Docket No. 20-ANM-43, at the beginning of your comments. You may also submit comments through the Internet at <https://www.regulations.gov>.

FAA Order 7400.11E, 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 Airspace Policy 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 7400.11E 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:** Richard Roberts, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216<sup>th</sup> Street, Des Moines, WA 98198; telephone (206) 231-2245.

**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 remove the Class D and modify the Class E airspace at Gillette-County Airport, Gillette, WY to support IFR operations at the airport.

## **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. Persons 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-2020-0800; Airspace Docket No. 20-ANM-43". 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 through the Internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [https://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](https://www.faa.gov/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 the 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 Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S. 216<sup>th</sup> Street, Des Moines, WA 98198.

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

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11E 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 14 CFR part 71 to remove the Class D airspace and modify the following: Class E surface area, the Class E airspace as an extension to the Class E surface area and the Class E airspace extending upward from 700 feet AGL at Gillette-Campbell County Airport, Gillette, WY.

The FAA was informed that the Airport Traffic Control Tower at Gillette-Campbell County Airport is closed, which is a basic qualification for the establishment of Class D airspace. As a result, the FAA is proposing to remove the Class D airspace and modify the Class E Surface Airspace at the airport. The Class E surface airspace would be expanded from 4.3 miles to 5 miles to ensure departures are contained in the surface area until reaching 700 feet AGL.

The Class E airspace extending upward from the surface as an extension to the Class E surface area would be expanded to 3.4 miles each side of the 170° bearing from 3 miles to 12

miles (formerly 12.2 miles) south of the airport. This adjustment would protect aircraft as they descend through 1,000 feet AGL, while using the RNAV and ILS approaches to runway 34.

The Class E airspace extending upward from 700 feet would be modified to within 4 miles each side of the 170° and 350° bearings (reduced from 6.1 miles east and 8.3 miles west) and extend 14 miles south (reduced from 15.3 miles) and 11 miles north (reduced from 16.1 miles). The additional airspace is no longer needed to protect departing aircraft to 1,200 feet and arrivals as they descend through 1,500 feet AGL. This proposal would remove the Class E airspace extending upward from 1,200 feet as it is redundant with the Denver E6 airspace and no longer needed.

In addition, the legal descriptions for the Class E airspace extending upward from the surface as an extension to the Class E surface area and the Class E airspace extending upward from 700 feet would be rewritten to eliminate the use of the VOR/DME as a reference point. The VOR/DME is no longer needed to adequately describe the airspace.

The use of the term Airport Facility/Directory would be replaced with Chart Supplement and the geographical coordinates updated to match the FAA database.

Class E airspace designations are published in paragraph 5000, 6002, 6004, 6005 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, 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. 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, 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**

Accordingly, pursuant to the authority delegated to me, 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 5000. Class D Airspace

\* \* \* \* \*

**ANM WY D Gillette, WY [Remove]**  
Gillette-Campbell County Airport, WY  
(lat. 44°20'56"N., long. 105°32'22"W.)

Paragraph 6002. Class E Airspace Designated as Surface Areas.

\* \* \* \* \*

**ANM WY E2 Gillette, WY [Amended]**  
Gillette-Campbell County Airport, WY  
(lat. 44°20'56"N., long. 105°32'22"W.)

That airspace extending upward from the surface to and including 6,900 feet MSL within a 5-mile radius of the Gillette-Campbell County Airport. This Class E 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 Chart Supplement.

Paragraph 6004. Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.

\* \* \* \* \*

**ANM WY E4 Gillette, WY [Amended]**  
Gillette-Campbell County Airport, WY  
(lat. 44°20'56"N., long. 105°32'22"W.)

That airspace extending upward from the surface within 3.4 miles each side of the Gillette County Airport 170° bearing extending from the 5-mile radius of Gillette-Campbell County Airport to 12 miles south of the airport.

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

\* \* \* \* \*

**ANM WY E5 Gillette, WY [Amended]**

Gillette-Campbell County Airport, WY  
(lat. 44°20'56"N., long. 105°32'22"W.)

That airspace extending upward from 700 feet above the surface of the earth within 4 miles each side of the 170° bearing extending from the 5-mile radius to 14 miles south of the airport, and that airspace 4 miles each side of the 350° bearing extending from the 5-mile radius to 11 miles north of the airport.

Issued in Seattle, Washington, on September 8, 2020.

Byron Chew,  
Acting Manager,  
Operations Support Group,  
Western Service Center

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