



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2023-1737; Airspace Docket No. 23-ASO-8]

RIN 2120-AA66

Amendment of VOR Federal Airways V-44, V-128, and V-493, and United States Area Navigation Routes T-315 and T-323 in the Vicinity of York, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Very High Frequency Omnidirectional Range (VOR) Federal airways V-44, V-128, and V-493, and United States Area Navigation (RNAV) routes T-315 and T-323. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the York, KY (YRK), VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The York VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA-2023-1737 and Airspace Docket No. 23-ASO-8 using any of the following methods:

* Federal eRulemaking Portal: Go to www.regulations.gov and follow the online instructions for sending your comments electronically.

* Mail: Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

* Hand Delivery or Courier: Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* Fax: Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

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 would modify the National Airspace System (NAS) as necessary to preserve the safe and efficient flow of air traffic.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 USC 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the Internet at www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA's web page at 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 Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined

during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Incorporation by Reference

VOR Federal airways are published in paragraph 6010(a) and United States Area Navigation Routes (T-routes) are published in paragraph 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. These updates would be published in the next update to FAA Order JO 7400.11. That order is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

The FAA is planning to decommission the York, KY, VOR in March 2024. The York VOR was one of the candidate VORs identified for discontinuance by the FAA's VOR MON program and listed in the final policy statement notice, "Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)," published in the *Federal Register* on July 26, 2016 (81 FR 48694), Docket No. FAA-2011-1082.

Although the VOR portion of the York, KY, VORTAC is planned for decommissioning, the co-located Tactical Air Navigation (TACAN) portion of the NAVAID is being retained to provide navigational service for military aircraft operations and the Distance Measuring Equipment (DME) service is being retained to support current and future NextGen PBN flight procedure requirements.

The VOR Federal airways affected by the York VOR decommissioning are V-44, V-128, and V-493. With the planned decommissioning of the York VOR, the remaining ground-based

NAVAID coverage in the area is insufficient to enable the continuity of the affected airways. As such, proposed modification to V-44 would result in the existing gap in the airway being increased, to V-128 would result in a gap being created in the airway, and to V-493 would result in the airway being shortened.

To address the proposed modifications to the affected VOR Federal airways, instrument flight rules (IFR) traffic could use portions of adjacent VOR Federal airways V-35, V-38, V-115, V-133, V-144, V-178, and V-517 to fly around the affected area or receive air traffic control (ATC) radar vectors to fly through the affected area. Additionally, IFR pilots operating aircraft equipped with RNAV capabilities could navigate point to point using the existing fixes and waypoints that will remain in place to support continued operations through the affected area. Visual flight rules pilots who elect to navigate via the affected airways could also take advantage of the adjacent VOR Federal airways or ATC services listed previously.

To further mitigate the proposed modifications to the affected VOR Federal airways, the FAA also proposes to modify RNAV routes T-315 and T-323. T-315 would be extended westward to mitigate the proposed removal of the affected V-128 airway segment and T-323 would be extended northward to mitigate the proposed removal of the affected V-493 airway segment. The extended T-routes would provide pilots with RNAV equipped aircraft route alternatives through the affected area, reduce ATC sector workload and complexity, reduce pilot-to-controller communication, and support the FAA's continued NextGen efforts to modernize the NAS from a ground-based system to a satellite-based system.

The Proposal

The FAA is proposing to amend 14 CFR part 71 by amending VOR Federal airways V-44, V-128, and V-493, and RNAV routes T-315 and T-323. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the York, KY, VORTAC NAVAID. The proposed ATS route actions are described below.

V-44: V-44 currently extends between the Columbia, MO, VOR/DME and the Centralia, IL, VORTAC; and between the Falmouth, KY, VOR/DME and the Albany, NY, VORTAC. The airspace below 2,000 feet mean sea level (MSL) outside the United States is excluded. The FAA proposes to remove the airway segment between the Falmouth VOR/DME and the Parkersburg, WV, VORTAC. As amended, the airway would extend between the Columbia VOR/DME and the Centralia VORTAC and between the Parkersburg VORTAC and the Albany VORTAC.

V-128: V-128 currently extends between the Brickyard, IN, VORTAC and the Casanova, VA, VORTAC. The FAA proposes to remove the airway segment between the Cincinnati, OH, VORTAC and the Charleston, WV, VORTAC. As amended, the airway would extend between the Brickyard VORTAC and the Cincinnati VORTAC and between the Charleston VORTAC and the Casanova VORTAC.

V-493: V-493 currently extends between the Livingston, TN, VOR/DME and the Appleton, OH, VORTAC. The FAA proposes to remove the airway segment between the Lexington, KY, VOR/DME and the Appleton VORTAC. As amended, the airway would extend between the Livingston VOR/DME and the Lexington VOR/DME.

T-315: T-315 currently extends between the JARLO, WV, waypoint (WP) and the Burlington, VT, VORTAC. The FAA proposes to extend the route westward from the JARLO WP to the JIMUR, KY, Fix which is currently not reflected on the IFR Enroute Low Altitude charts, but is located approximately 1.1 nautical miles (NM) east northeast from the Cincinnati, KY, VORTAC and will be charted when the York VOR is decommissioned. The route extension would include the CALIF, KY, Fix and the ILILE, OH, Fix which will be converted to a WP when the York VOR is decommissioned. As amended, T-315 would extend between the JIMUR, KY, Fix and the Burlington, VT, VORTAC and provide mitigation for the proposed V-128 airway segment removal. The full T-315 route description is listed in the amendments to part 71 as set forth below.

T-323: T-323 currently extends between the MARQO, FL, WP and the DACEL, KY, WP. The FAA proposes to extend the route northward from the DACEL WP to the Appleton, OH, VORTAC. The route extension would include the ZELID, KY, WP which is being established approximately 2.1 NM southeast from the York, KY, VORTAC and the ROHDE, OH, Fix which will be converted to a WP when the York VOR is decommissioned. As amended, T-323 would extend between the MARQO WP and the Appleton VORTAC and provide mitigation for the proposed V-493 airway segment removal. The full T-323 route description is listed in the amendments to part 71 as set forth below.

The NAVAID radials listed in the VOR Federal airway descriptions in the Proposed Amendment section below are unchanged and stated in degrees True north.

Regulatory Notices and Analyses

The FAA has determined that this proposed 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 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 proposed rule, when promulgated, will 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 JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6010(a). Domestic VOR Federal airways.

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V-44 [Amended]

From Columbia, MO; INT Columbia 131° and Foristell, MO, 262° radials; Foristell; to Centralia, IL. From Parkersburg, WV; Morgantown, WV; Martinsburg, WV; INT Martinsburg 094° and Baltimore, MD, 300° radials; Baltimore; INT Baltimore 122° and Sea Isle, NJ, 267° radials; Sea Isle; INT Sea Isle 040° and Deer Park, NY, 209° radials; Deer Park; INT Deer Park 041° and Bridgeport, CT, 133° radials; Bridgeport; INT Bridgeport 324° and Pawling, NY, 160° radials; Pawling; INT Pawling 342° and Albany, NY, 181° radials; to Albany. The airspace below 2,000 feet MSL outside the United States is excluded.

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V-128 [Amended]

From Brickyard, IN; INT Brickyard 137° and Cincinnati, OH, 290° radials; to Cincinnati. From Charleston, WV; to Casanova, VA.

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V-493 [Amended]

From Livingston, TN; to Lexington, KY.

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Paragraph 6011. United States Area Navigation Routes.

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T-315 JIMUR, KY to Burlington, VT (BTV) [Amended]		
JIMUR, KY	FIX	(lat. 39°01'17.62"N., long. 084°41'02.13"W.)
CALIF, KY	FIX	(lat. 38°56'01.97"N., long. 084°18'38.27"W.)
ILILE, OH	WP	(lat. 38°33'14.45"N., long. 082°36'07.02"W.)
JARLO, WV	WP	(lat. 38°20'58.85"N., long. 081°46'11.68"W.)
SHANE, WV	FIX	(lat. 37°58'31.15"N., long. 080°48'24.34"W.)
DBRAH, VA	WP	(lat. 37°20'34.14"N., long. 080°04'10.75"W.)
SPNKS, VA	WP	(lat. 37°17'21.31"N., long. 079°33'17.14"W.)
KONRD, VA	WP	(lat. 37°20'39.83"N., long. 079°01'33.27"W.)
CRUMB, VA	FIX	(lat. 37°28'09.44"N., long. 078°08'27.69"W.)
Flat Rock, VA (FAK)	VORTAC	(lat. 37°31'42.63"N., long. 077°49'41.59"W.)
WAVES, VA	WP	(lat. 37°35'13.54"N., long. 077°26'52.03"W.)
TAPPA, VA	FIX	(lat. 37°58'12.66"N., long. 076°50'40.62"W.)
COLIN, VA	FIX	(lat. 38°05'59.23"N., long. 076°39'50.85"W.)
SHLBK, VA	WP	(lat. 38°20'16.21"N., long. 076°26'10.51"W.)
PRNCZ, MD	WP	(lat. 38°37'38.10"N., long. 076°05'08.20"W.)
CHOPS, MD	WP	(lat. 38°45'41.81"N., long. 075°57'36.18"W.)
COSHA, DE	WP	(lat. 38°57'57.57"N., long. 075°30'51.59"W.)
Atlantic City, NJ (ACY)	VORTAC	(lat. 39°27'21.15"N., long. 074°34'34.73"W.)
PANZE, NJ	FIX	(lat. 39°40'33.58"N., long. 074°10'05.45"W.)
DIXIE, NJ	FIX	(lat. 40°05'57.72"N., long. 074°09'52.17"W.)
Kennedy, NY (JFK)	VOR/DME	(lat. 40°37'58.40"N., long. 073°46'17.00"W.)
KEEPM, NY	FIX	(lat. 40°50'14.77"N., long. 073°32'42.58"W.)
TRANZ, NY	FIX	(lat. 40°51'31.95"N., long. 073°22'30.80"W.)
PUGGS, NY	WP	(lat. 40°56'27.65"N., long. 073°13'47.73"W.)
EEGOR, CT	WP	(lat. 41°09'38.94"N., long. 073°07'27.66"W.)
Hartford, CT (HFD)	VOR/DME	(lat. 41°38'27.98"N., long. 072°32'50.70"W.)
DVANY, CT	FIX	(lat. 41°51'44.56"N., long. 072°18'11.25"W.)
Gardner, MA (GDM)	VOR/DME	(lat. 42°32'45.32"N., long. 072°03'29.48"W.)
KEYNN, NH	WP	(lat. 42°47'39.99"N., long. 072°17'30.35"W.)
EBERT, VT	WP	(lat. 43°32'58.08"N., long. 072°45'42.43"W.)
Burlington, VT (BTV)	VOR/DME	(lat. 44°23'49.58"N., long. 073°10'57.49"W.)

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T-323 MARQO, FL to Appleton, OH (APE) [Amended]		
MARQO, FL	WP	(lat. 30°30'53.57"N., long. 082°32'45.62"W.)
LRSEY, GA	WP	(lat. 31°16'09.34"N., long. 082°33'23.20"W.)
CROCS, GA	WP	(lat. 32°27'17.69"N., long. 082°46'29.06"W.)
BOBBR, GA	WP	(lat. 33°19'57.07"N., long. 083°08'19.47"W.)
BIGNN, GA	WP	(lat. 34°20'34.38"N., long. 083°33'06.80"W.)
HELNN, NC	WP	(lat. 35°00'55.11"N., long. 083°52'09.85"W.)
OCOEE, NC	WP	(lat. 35°07'34.11"N., long. 083°53'45.00"W.)
KNITS, TN	FIX	(lat. 35°41'01.18"N., long. 083°53'58.56"W.)
CRECY, TN	WP	(lat. 35°58'52.61"N., long. 083°38'24.36"W.)
ZADOT, TN	WP	(lat. 36°35'32.17"N., long. 083°28'40.09"W.)
WELLA, KY	WP	(lat. 37°02'15.68"N., long. 083°21'31.07"W.)
DACEL, KY	WP	(lat. 37°23'10.68"N., long. 083°14'52.13"W.)
ZELID, KY	WP	(lat. 38°37'49.08"N., long. 082°56'36.06"W.)
ROHDE, OH	WP	(lat. 39°04'20.65"N., long. 082°39'38.98"W.)

Appleton, OH (APE)	VORTAC	(lat. 40°09'03.83"N., long. 082°35'17.88"W.)
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Karen L. Chiodini,
Acting Manager, Rules and Regulations Group.
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