



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: Final rule.

SUMMARY: This action amends 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 taking 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: Effective date 0901 UTC, July 11, 2024. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, 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 modifies the Air Traffic Service (ATS) 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-2023-1737 in the *Federal Register* (88 FR 54952; August 14, 2023), proposing to amend VOR Federal Airways V-44, V-128, and V-493, and United States RNAV Routes T-315 and T-323 due to the planned decommissioning of the VOR portion of the York, KY, VORTAC NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

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 amends the current version of that order, FAA Order JO

7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

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

The Rule

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

V-44: Prior to this final rule, V-44 extended between the Columbia, MO, VOR/Distance Measuring Equipment (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 was excluded. The airway segment between the Falmouth VOR/DME and the Parkersburg, WV, VORTAC is removed. As amended, the airway is changed to now extend between the Columbia VOR/DME and the Centralia VORTAC, and between the Parkersburg VORTAC and the Albany VORTAC.

V-128: Prior to this final rule, V-128 extended between the Brickyard, IN, VORTAC and the Casanova, VA, VORTAC. The airway segment between the Cincinnati, OH, VORTAC and the Charleston, WV, VORTAC is removed. As amended, the airway is changed to now extend between the Brickyard VORTAC and the Cincinnati VORTAC, and between the Charleston VORTAC and the Casanova VORTAC.

V-493: Prior to this final rule, V-493 extended between the Livingston, TN, VOR/DME and the Appleton, OH, VORTAC. The airway segment between the Lexington, KY, VOR/DME and the Appleton VORTAC is removed. As amended, the airway is changed to now extend between the Livingston VOR/DME and the Lexington VOR/DME.

T-315: Prior to this final rule, T-315 extended between the JARLO, WV, waypoint (WP) and the Burlington, VT, VORTAC. The route is extended westward from the JARLO WP to the JIMUR, KY, Fix which 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 will include the CALIF, KY, Fix and the ILILE, OH, Fix which is being converted to a WP when the York VOR is decommissioned. As amended, T-315 is changed to now extend between the JIMUR, KY, Fix and the Burlington, VT, VORTAC. The full T-315 route description is listed in the amendments to part 71 as set forth below.

T-323: Prior to this final rule, T-323 extended between the MARQO, FL, WP and the DACEL, KY, WP. The route is extended northward from the DACEL WP to the Appleton, OH, VORTAC. The route extension includes the ZELID, KY, WP which is being established approximately 2.1 NM southeast from the York, KY, VORTAC and the ROHDE, OH, Fix which is being converted to a WP when the York VOR is decommissioned. As amended, T-323 is changed to now extend between the MARQO WP and the Appleton VORTAC. 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 regulatory text of this final rule are unchanged and stated in degrees True north.

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 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 amending VOR Federal Airways V-44, V-128, and V-493, and United States RNAV Routes T-315 and T-323, due to the planned decommissioning of the VOR portion of the York, KY, VORTAC NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) 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); and paragraph 5-6.5i, which categorically excludes from further environmental impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. 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).

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 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 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, 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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Frank Lias,
Manager, Rules and Regulations Group.
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