



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-1396; Airspace Docket No. 24-AEA-3]

RIN 2120-AA66

Amendment of VOR Federal Airways V-258, V-519, and RNAV Route T-426; and Revocation of Jet Routes J-213 and J-526, and VOR Federal Airway V-59 in the Vicinity of Beckley, WV

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-258 and V-519, and Area Navigation (RNAV) Route T-426; and revoke Jet Routes J-213 and J-526, and VOR Federal Airway V-59. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the Beckley, WV (BKW), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Beckley 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-2024-1396 and Airspace Docket No. 24-AEA-3 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 7400.11H, 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 would modify the National Airspace System 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

Jet Routes are published in paragraph 2004, VOR Federal Airways are published in paragraph 6010(a), and United States Area Navigation 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 7400.11H, dated August 11, 2023, and effective September 15, 2023. 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 7400.11H 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 VOR portion of the Beckley, WV, VOR/DME in February 2025. The Beckley VOR is 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 Beckley VOR/DME is planned for decommissioning, the co-located Distance Measuring Equipment (DME) is being retained to continue supporting current and future NextGen PBN flight procedure requirements.

The Air Traffic Service (ATS) routes affected by the planned decommissioning of the Beckley VOR are Jet Routes J-213 and J-526, and VOR Federal Airways V-59, V-258, and V-519. With the planned decommissioning of the Beckley VOR, the remaining ground-based

NAVAID coverage in the area is insufficient to enable the continuity of the affected ATS routes. As such, proposed modifications to V-258 and V-519 would result in the airways being shortened and to J-213, J-526, and V-59 would result in the routes and airway being revoked.

To address the proposed modifications to the affected ATS routes, pilots operating under instrument flight rules (IFR) could use adjacent Jet Routes J-6, J-8, J-24, J-48, and J-78 in the high-altitude stratum or use VOR Federal Airways V-16, V-45, V-115, V-133, V-140, and V-178 in the low-altitude stratum to navigate around the area affected. Additionally, pilots operating aircraft equipped with RNAV capabilities could also navigate using RNAV Routes Q-34, Q-50, Q-68, Q-75, and Q-80 in the high-altitude stratum; RNAV Route T-426, once amended by this action, in the low-altitude stratum; or point-to-point using the existing Fixes and waypoints (WP) that would remain in place to support continued operations through the affected area. Pilots operating under visual flight rules who elect to navigate via the affected VOR Federal airways could take advantage of the adjacent conventional routes or airways listed above, as well as the listed RNAV routes and point-to-point navigation, if properly equipped. Lastly, all pilots also have the option to request and receive radar vectors from air traffic control to transit the affected area.

To further mitigate the proposed modifications to the affected VOR Federal airways, the FAA also proposes to modify RNAV Route T-426. T-426 would be extended northward from the DANCO, VA, WP to overlay and mitigate the proposed removal of the affected V-59 airway. The extended T-route would provide pilots with RNAV-equipped aircraft an alternative route 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 navigation system to a satellite-based system.

The Proposal

The FAA is proposing to amend 14 CFR part 71 by amending VOR Federal Airways V-258 and V-519, and RNAV Route T-426; and revoking Jet Routes J-213 and J-526, and VOR

Federal Airway V-59 due to the planned decommissioning of the Beckley, WV, VOR. The proposed ATS route actions are described below.

J-213: J-213 currently extends between the Armel, VA, VOR/DME and the Beckley, WV, VOR/DME. The FAA proposes to remove the route in its entirety.

J-526: J-526 currently extends between the Beckley, WV, VOR/DME and the Louisville, KY, VOR/Tactical Air Navigation (VORTAC). The FAA proposes to remove the route in its entirety.

V-59: V-59 currently extends between the Pulaski, VA, VORTAC and the Parkersburg, WV, VOR/DME. The FAA proposes to remove the airway in its entirety.

V-258: V-258 currently extends between the Charleston, WV, VOR/DME and the Danville, VA, VOR. The FAA proposes to remove the airway segment between the Charleston VOR/DME and the Roanoke, VA, VOR/DME. As amended, the airway would be changed to extend between the Roanoke VOR/DME and the Danville VOR. Additional amendments to the airway have been proposed in a separate rulemaking action.

V-519: V-519 currently extends between the Volunteer, TN, VORTAC and the Beckley, WV, VOR/DME. The FAA proposes to remove the airway segment between the Bluefield, WV, VOR/DME and the Beckley VOR/DME. As amended, the airway would be changed to extend between the Volunteer VORTAC and the Bluefield VOR/DME.

T-426: T-426 currently extends between the DANCO, WV, WP and the MCDON, VA, WP. The FAA proposes to extend the route northward from the DANCO WP to the Parkersburg, WV, VOR/DME. As amended, T-426 would extend between the Parkersburg VOR/DME and the MCDON WP and provide mitigation for the proposed V-59 airway removal. The full T-426 route description is listed in the regulatory text of this NPRM.

All NAVAID radials listed in the VOR Federal airway descriptions in the proposed regulatory text of this notice of proposed rulemaking 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 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

Paragraph 2004. Jet Routes.

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J-213 [Removed]

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J-526 [Removed]

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Paragraph 6010(a). Domestic VOR Federal Airways.

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V-59 [Removed]

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V-258 [Amended]

From Roanoke, VA; INT Roanoke 145° and Danville, VA, 320° radials; to Danville.

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V-519 [Amended]

From Volunteer, TN; INT Volunteer 050° and Glade Spring, VA, 246° radials; Glade Spring; to Bluefield, WV.

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Paragraph 6011. United States Area Navigation Routes.

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T-426 Parkersburg, WV (JPU) to MCDON, VA [Amended]		
Parkersburg, WV (JPU)	VOR/DME	(lat. 39°26'28.25"N., long. 081°22'29.14"W.)
SITTR, WV	WP	(lat. 37°46'49.13"N., long. 081°07'23.70"W.)
DANCO, VA	WP	(lat. 37°05'15.75"N., long. 080°42'46.45"W.)
TABER, VA	FIX	(lat. 37°02'55.04"N., long. 080°02'55.66"W.)
PIGGS, VA	FIX	(lat. 36°56'01.81"N., long. 079°42'40.61"W.)
DUNCE, VA	FIX	(lat. 36°50'52.00"N., long. 079°29'18.20"W.)
MCDON, VA	WP	(lat. 36°40'29.56"N., long. 079°00'52.03"W.)

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Issued in Washington, DC, on May 8, 2024.

Frank Lias,
Manager, Rules and Regulations Group.

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