

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2010-0015; Airspace Docket No. 09-ASW-18]

RIN 2120-AA66

Proposed Amendment of Low Altitude Area Navigation Route T-254; Houston, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify low altitude Area Navigation (RNAV) route T-254 in the Houston, TX, terminal area by eliminating the segment between the Centex, TX, VHF Omnidirectional Range/Tactical Air Navigation (VORTAC) and the College Station, TX, VORTAC. This action would eliminate a portion of T-254 that is no longer needed; thus, enhance safety and the efficient use of the navigable airspace in the Houston, TX, terminal area.

DATES: Comments must be received on or before March 26, 2010.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; *telephone:* (202) 366-9826. You must identify FAA Docket No. FAA-2010-0015 and Airspace Docket No. 09-ASW-18 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

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

SUPPLEMENTARY INFORMATION:

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 (FAA Docket No. FAA-2010-0015 and Airspace Docket No. 09-ASW-18) and be submitted in triplicate to the Docket Management Facility (*see* “ADDRESSES” section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA-2010-0015 and Airspace Docket No. 09-ASW-18.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. 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 <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s Web page at http://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*

“ADDRESSES” section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, Operations Support Group, Federal Aviation Administration, 2601 Meacham Blvd. Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA’s Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to amend the low altitude RNAV route T-254 in the Houston, TX, terminal area by eliminating the route segment between the Centex, TX, VORTAC and College Station, TX, VORTAC. When established, the original purpose of T-254 was to provide a navigable route for en route Instrument Flight Rules (IFR) operations navigating around the Houston Class B terminal airspace area where no existing structure existed. However, the T-254 route segment noted above was inadvertently established overlaying a portion of the existing VHF Omnidirectional Range (VOR) airway V-565. This action would eliminate the unnecessary duplication of an existing National Airspace System route to enhance safety and facilitate the efficient use of the navigable airspace for en route IFR operations transitioning around the Houston Class B terminal airspace area.

Low altitude RNAV routes are published in paragraph 6011 of FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR 71.1. The low altitude RNAV route listed in this document will be published subsequently in the Order.

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. Therefore, this proposed regulation: (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 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.

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 a low altitude RNAV T-route in the Houston, TX, terminal area.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "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:

College Station, TX (CLL)	VORTAC	(lat. 30°36'18"N., long. 96°25'14"W.)
EAKES, TX	WP	(lat. 30°33'18"N., long. 95°18'29"W.)
CREPO, TX	WP	(lat. 30°16'54"N., long. 94°14'43"W.)
Lake Charles, LA (LCH)	VORTAC	(lat. 30°08'29"N., long. 93°06'20"W.)

Issued in Washington, DC, on February 2, 2010.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. 2010-2708 Filed 2-8-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2010-0007; Airspace Docket No. 09-AAL-20]

RIN 2120-AA66

Proposed Amendment of Jet Route J-120; Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify Jet Route J-120 in Alaska. The FAA is proposing this action in preparation of the eventual decommissioning of the Barter Island (BTI) Non-directional Beacon (NDB) at the village of Kaktovik, Alaska, ensuring the safe and efficient use of airspace within the National Airspace System.

DATES: Comments must be received on or before March 26, 2010.

ADDRESSES: Send comments on the proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001, telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2010-0007 and Airspace Docket No. 09-AAL-20 at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

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.

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(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 the FAA Order 7400.9T, Airspace Designations and Reporting Points, dated August 27, 2009, and effective September 15, 2009, is amended as follows:

Paragraph 6011 United States Area Navigation Routes

* * * * *

T-254 College Station, TX to Lake Charles, LA [Amended]

Communications should identify both docket numbers (FAA Docket No. FAA-2010-0007 and Airspace Docket No. 09-AAL-20) and be submitted in triplicate to the Docket Management Facility (*see ADDRESSES* section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2010-0007 and Airspace Docket No. 09-AAL-20." The postcard will be date/time stamped and returned to the commenter.

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