

availability of this material at the FAA, call 425-227-1221.

(5) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at an NARA facility, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on June 21, 2012.

**John P. Piccola,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2012-0456; Airspace Docket No. 12-AEA-9]

#### Amendment of Class D and Class E Airspace; Lakehurst, NJ

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

**ACTION:** Final rule, technical amendment.

**SUMMARY:** This action changes the name of the airport associated with the Class D and Class E airspace at Lakehurst, NJ. The airport's name is being changed to Lakehurst Naval Support Activity/Maxfield Field (Joint Base McGuire-Dix-Lakehurst). The FAA's Aeronautical Products office requested the change to reflect the current airport name.

**DATES:** Effective date 0901 UTC, September 20, 2012. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 changes the name of the airport associated with the Class D airspace and Class E airspace designated as an extension to a Class D airspace, at Lakehurst, NJ. The airport name is

changed from Lakehurst Naval Air Experimental Center Airport/Maxfield Field to Lakehurst Naval Support Activity/Maxfield Field (Joint Base McGuire-Dix-Lakehurst) to be in concert with the FAA's aeronautical database. Accordingly, since this is an administrative change, and does not affect the boundaries, altitudes, or operating requirements of the airspace, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

The Class D airspace, and Class E airspace designations are published in Paragraph 5000 and 6004, respectively, of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

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, 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 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 amends controlled airspace for the Lakehurst, NJ, Class D and E airspace area.

#### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Final Rule

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 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 Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

#### AEA NJ D Lakehurst, NJ [Amended]

Lakehurst Naval Support Activity/Maxfield Field, NJ (Joint Base McGuire-Dix-Lakehurst)

(Lat. 40°02'00" N., long. 74°21'13" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.2-mile radius of the Lakehurst Naval Support Activity/Maxfield Field (Joint Base McGuire-Dix-Lakehurst). This Class D airspace area 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 Airport/Facility Directory.

*Paragraph 6004 Class E airspace designated as an extension to a class D surface area.*

\* \* \* \* \*

#### AEA NJ E4 Lakehurst, NJ [Amended]

Lakehurst Naval Support Activity/Maxfield Field, NJ (Joint Base McGuire-Dix-Lakehurst)

(Lat. 40°02'00" N., long. 74°21'13" W.)

Lakehurst (Navy) NDB

(Lat. 40°02'41" N., long. 74°20'09" W.)

That airspace extending upward from the surface within 2.6 miles each side of the 050° bearing from the Lakehurst (Navy) NDB extending from the 4.2-mile radius of the Lakehurst Naval Support Activity/Maxfield Field (Joint Base McGuire-Dix-Lakehurst) to 7.4 miles northeast of the NDB. This Class E airspace area 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 Airport/Facility Directory.

Issued in College Park, Georgia, on June 29, 2012.

**Barry A. Knight,**

*Acting Manager, Operations Support Group,  
Eastern Service Center, Air Traffic  
Organization.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-1211; **Airspace**  
Docket No. 11-ASO-40]

#### Amendment of Class E Airspace; Memphis, TN

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E Airspace at Memphis, TN area, as the West Memphis Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approach Procedures have been developed at Memphis International Airport. This action also removes West Memphis Municipal Airport, West Memphis, from the existing airspace surrounding Memphis International Airport, Memphis, TN. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport. This action also makes a minor adjustment to the geographic coordinates of General DeWitt Spain Airport and makes a minor correction to the regulatory text.

**DATES:** Effective 0901 UTC, September 20, 2012. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

#### History

On March 26, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace at Memphis, TN (77 FR 17360). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA.

No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, 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. Except for a minor clerical change in the regulatory text correcting ‘NDB’ to ‘Airport’, this rule is the same as published in the NPRM.

#### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace extending upward from 700 feet above the surface at Memphis, TN. Airspace reconfiguration is necessary due to the decommissioning of the West Memphis NDB and cancellation of the NDB approach, and for continued safety and management of IFR operations at the airport. Also, West Memphis Municipal Airport, West Memphis, AR, is removed from the Memphis, TN, airspace designation to accommodate the separation of existing Class E airspace surrounding Memphis International Airport, Memphis, TN. The establishment of the new designator for the Class E airspace area surrounding West Memphis Municipal Airport, West Memphis, AR, is simultaneously coordinated with this action. This action also adjusts the geographic coordinates of General DeWitt Spain Airport to be in concert with the FAA's aeronautical database, and corrects ‘NDB’ to read ‘Airport’ in the regulatory text.

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, 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 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 amends controlled airspace in Memphis, TN.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of 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 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 Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### **ASO TN E5 Memphis, TN [Amended]**

Memphis International Airport, TN  
(Lat. 35°02'33" N., long. 89°58'36" W.)  
Olive Branch, MS, Olive Branch Airport  
(Lat. 34°58'44" N., long. 89°47'13" W.)  
General DeWitt Spain Airport