

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 modifies the route structure in Alaska as required to preserve the safe and efficient flow of air traffic.

**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:

**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 FAA Order 7400.9V, Airspace Designations and Reporting Points, Dated August 9, 2011, and effective September 15, 2011, is amended as follows:

*Paragraph 6011 United States Area Navigation Routes*

\* \* \* \* \*

**T-266 RADKY, AK to Annette Island, AK (ANN) [Amended]**

RADKY, AK	Fix	(Lat. 58°08'00" N., long. 134°29'56" W.)
XADZY, AK	WP	(Lat. 57°01'00" N., long. 133°00'00" W.)
VULHO, AK	WP	(Lat. 56°49'05" N., long. 132°49'30" W.)
FOGID, AK	WP	(Lat. 56°43'31" N., long. 132°42'02" W.)
YICAX, AK	WP	(Lat. 56°39'45" N., long. 132°37'00" W.)
NEREE, AK	WP	(Lat. 56°32'36" N., long. 132°30'34" W.)
VAZPU, AK	WP	(Lat. 56°27'24" N., long. 132°25'56" W.)
DOOZI, AK	Fix	(Lat. 55°37'57" N., long. 132°10'29" W.)
Annette Island, AK (ANN)	VOR/DME	(Lat. 55°03'37" N., long. 131°34'42" W.)

Issued in Washington, DC, on December 12, 2012.

**Gary A. Norek,**

*Manager, Airspace Policy and ATC Procedures Group.*

[FR Doc. 2013-01115 Filed 1-18-13; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2012-1294; Airspace Docket No. 11-ANM-28]

**RIN 2120-AA66**

**Proposed Establishment of Area Navigation (RNAV) Routes; OR**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to establish two new low-altitude RNAV routes in the state of Oregon, designated T-302 and T-304. The routes would replace segments of an existing VHF Omnidirectional Range (VOR) Federal airway that will be removed due to the

planned decommissioning of the Portland, OR, VOR/DME in 2013. This action would advance the implementation of RNAV and provide continued en route navigation guidance in the affected airspace.

**DATES:** Comments must be received on or before March 8, 2013.

**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-2012-1294 and Airspace Docket No. 11-ANM-28 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace Policy and ATC Procedures Group, Office of Airspace Services, 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-2012-1294 and Airspace Docket No. 11-ANM-28) 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-2012-1294 and Airspace Docket No. 11-ANM-28." 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>.

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 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Western Service Center, Operations Support Group, Federal Aviation Administration, 1601 Lind Ave. SW., Renton, WA 98057.

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 establish two new RNAV routes, designated T-302 and T-304, in Oregon. The new routes would replace segments of a VOR Federal airway that will be affected by the planned decommissioning of the Portland, OR, VOR/DME in 2013. The new routes would extend between navigation fixes located southeast of the Portland, OR, VOR/DME and navigation fixes located north of the Deschutes, OR, VORTAC. T-302 would extend between

the existing CUKIS, OR, fix and the existing CUPRI, OR, fix. T-304 would extend between the existing GLARA, OR, fix and the existing HERBS, OR, fix. Additional new waypoints would be added along the proposed routes between the end-point fixes. This action would enhance safety and efficiency, expand the use of RNAV in the National Airspace System, and provide for continued en route navigation guidance in a portion of Seattle Air Route Traffic Control Center's airspace.

RNAV routes are published in paragraph 6011 of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The RNAV routes listed in this document would be subsequently published 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 modifies the route structure as required to preserve the safe and efficient flow of air traffic within the National Airspace System.

**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:

**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 FAA Order 7400.9W, Airspace Designations and Reporting Points, Dated August 8, 2012, and effective September 15, 2012, is amended as follows:

*Paragraph 6011 United States area navigation routes*

\* \* \* \* \*

**T-302 CUKIS, OR to CUPRI, OR [New]**

CUKIS, OR	Fix	(45°21'00" N., long. 122°21'49" W.)
JJACE, OR	WP	(45°09'52" N., long. 122°03'03" W.)
JJETT, OR	WP	(44°56'35" N., long. 121°40'56" W.)
JERMM, OR	WP	(44°46'05" N., long. 121°27'06" W.)
CUPRI, OR	Fix	(44°37'04" N., long. 121°15'14" W.)

**T-304 GLARA, OR to HERBS, OR [New]**

GLARA, OR	Fix	(45°16'40" N., long. 122°36'11" W.)
PUTZZ, OR	WP	(45°06'14" N., long. 122°07'19" W.)
JJETT, OR	WP	(44°56'35" N., long. 121°40'56" W.)
WISSL, OR	WP	(44°35'49" N., long. 121°24'59" W.)
HERBS, OR	Fix	(44°25'07" N., long. 121°16'52" W.)

Issued in Washington, DC, on December 12, 2012.

Gary A. Norek,

Manager, Airspace Policy and ATC Procedures Group.

[FR Doc. 2013-01067 Filed 1-18-13; 8:45 am]

BILLING CODE P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2012-1168; Airspace Docket No. 07-AWA-3]

RIN 2120-AA66

#### Proposed Modification of the Dallas/Fort Worth Class B Airspace Area; TX

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify the Dallas/Fort Worth, TX, Class B airspace area to ensure containment of large turbine-powered aircraft flying instrument procedures to and from the Dallas/Fort Worth International Airport (DFW) and Dallas Love Field Airport (DAL) within Class B airspace. The FAA is proposing these actions to further support its national airspace redesign goal of optimizing terminal and en route airspace areas to enhance safety, improving the flow of air traffic, and reducing the potential for near midair collision in the DFW terminal area.

**DATES:** Comments must be received on or before March 25, 2013.

**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-2012-1168 and Airspace Docket No. 07-AWA-3 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 Policy and ATC Procedures Group, AJV-113, Office of Airspace Services, 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-2012-1168 and Airspace Docket No. 07-AWA-3) 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 Nos. FAA-2012-1168 and Airspace Docket No. 07-AWA-3." 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 NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>.

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 9:00 a.m. and 5:00 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.

##### Background

In 1973, the FAA issued a final rule (38 FR 13635) which established the Dallas-Fort Worth, TX, Terminal Control Area (TCA) around the Dallas-Fort Worth Airport, later renamed the Dallas/Fort Worth International Airport (DFW), with an effective date of September 30, 1973. In 1993, the FAA issued the Airspace Reclassification final rule (56 FR 65638), which replaced the term "terminal control area" with the term "Class B airspace area."

The primary purpose of Class B airspace is to reduce the potential for midair collisions in the airspace surrounding airports with high density air traffic operations by providing an area in which all aircraft are subject to certain operating rules and equipment requirements. FAA policy requires that Class B airspace areas be designed to contain all instrument procedures and that air traffic controllers vector aircraft to remain within Class B airspace after entry. If it becomes necessary to extend the flight path outside Class B airspace for spacing, controllers must inform the aircraft when leaving and re-entering Class B airspace. However, in the interest of safety, FAA policy dictates that such extensions be the exception rather than the rule.

The configuration of the Dallas/Fort Worth Class B airspace area has been modified five times since being established as a TCA, with the last modification accomplished in 1996. In 1978, 1984, and 1986, the FAA issued final rules (43 FR 17937, 49 FR 25424, and 51 FR 19749) to fully contain large turbine-powered aircraft within TCA airspace as the aircraft flew instrument procedures to and from DFW. In 1992, the FAA issued a final rule (57 FR 166) that revoked the Airport Radar Service Area surrounding DAL and incorporated the airport into the surface area of the Dallas Fort-Worth TCA. The FAA determined the mix of small propeller and high performance aircraft at lower altitudes around DAL necessitated modifying the TCA design to include DAL within the TCA in the interest of flight safety and that it would result in a greater degree of protection for the greatest number of people during flight in the DFW terminal area. In 1996, the FAA issued the last rule (61 FR 47815) modifying the Dallas/Fort Worth Class B airspace area. That rule raised the upper limit of the Class B airspace area to 11,000 feet mean sea level (MSL), except in the northern and southern portions of the airspace area, and redefined several existing subareas to improve the flow of aviation traffic and enhance safety in the Class B airspace area while