

# Rules and Regulations

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## MERIT SYSTEMS PROTECTION BOARD

### 5 CFR Part 1201

#### Practices and Procedures

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Final rule.

**SUMMARY:** The Merit Systems Protection Board (MSPB or the Board) is amending its rules of practice and procedure to reflect the relocation of its Washington Regional Office.

**DATES:** Effective July 29, 2013.

**FOR FURTHER INFORMATION CONTACT:** William D. Spencer, Clerk of the Board, Merit Systems Protection Board, 1615 M Street NW., Washington, DC 20419; phone: (202) 653-7200; fax: (202) 653-7130; or email: [mspb@mspb.gov](mailto:mspb@mspb.gov).

**SUPPLEMENTARY INFORMATION:** On July 26, 2013, MSPB will relocate its Washington Regional Office from 1800 Diagonal Road, Alexandria, Virginia, to 1901 S. Bell Street, Arlington, Virginia. Appendix II of this part is amended to show the new address. The facsimile number and the geographical areas served by the Washington Regional Office are unchanged. The Board is publishing this as a final rule pursuant to 5 U.S.C. 1204(h).

#### List of Subjects in 5 CFR Part 1201

Administrative practice and procedure.

Accordingly, the Board amends 5 CFR part 1201 as follows:

#### PART 1201—PRACTICES AND PROCEDURES

■ 1. The authority citation for part 1201 continues to read as follows:

**Authority:** 5 U.S.C. 1204, 1305, and 7701, and 38 U.S.C. 4331, unless otherwise noted.

#### Appendix II to Part 1201 [Amended]

■ 2. Amend Appendix II to part 1201 in item 4. by removing “1800 Diagonal Road, Alexandria, Virginia 22314” and adding, in its place, “1901 S. Bell Street, Arlington, Virginia 22202”.

**William D. Spencer,**  
*Clerk of the Board.*

[FR Doc. 2013-17592 Filed 7-22-13; 8:45 am]

**BILLING CODE 7400-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0609; Airspace Docket No. 13-ASO-15]

#### Amendment of Class E Airspace; Tri-Cities, TN

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace for the Tri-Cities, TN area, by correcting the regulatory text of the Class E surface airspace at Tri-Cities Regional Airport, Tri-Cities, TN. Exclusionary language was omitted in the final rule published in the **Federal Register** of February 5, 2013. This action is necessary for the safety and management of Instrument Flight Rules (IFR) operations in the Tri-Cities area.

**DATES:** Effective date: 0901 UTC July 23, 2013.

**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.

#### History

On February 5, 2013, the FAA published in the **Federal Register** a final rule amending Class D and E airspace in the Tri-Cities, TN, area (78 FR 7993).

The line defining the exclusion of controlled airspace surrounding the Edwards Heliport in the Class E surface area airspace description for Tri-Cities Regional Airport, Tri-Cities, TN, was erroneously omitted. Since any delay in correcting the controlled airspace in order to seek public comment would be inconsistent with the agency's safety mandate, action is taken herein to

include the corrective language. Since the regulatory text, as currently described, penetrates the controlled airspace of Edwards Heliport, immediate corrective action is required in the interest of flight safety. Therefore, I find that notice and public procedures under 5 U.S.C. 553(b) is impracticable and contrary to the public interest. Also, in consideration of the need to include this exclusion of controlled airspace for Tri-cities Regional Airport and to avoid confusion on the part of pilots flying in the vicinity of Tri-Cities, TN, the FAA finds good cause, pursuant to 5 U.S.C. 553(d), for making this amendment effective in less than 30 days in order to promote the safe and efficient handling of air traffic in the area.

#### SUPPLEMENTARY INFORMATION:

##### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E surface airspace at Tri-Cities Regional Airport, Tri-Cities, TN, by inserting in the regulatory text the exclusion of the 2.5-mile radius surrounding Edwards Heliport.

The Class E airspace designations are published in Paragraph 6002 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 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. 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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code.