

V2533–A5 engine, which experienced an uncontained failure of a high pressure turbine (HPT) 1st-stage disk that resulted in high-energy debris penetrating the engine cowling. The FAA is issuing this AD to prevent failure of the HPT 1st and 2nd-stage disks. The unsafe condition, if not addressed, could result in uncontained HPT disk failure, damage to the engine, damage to the airplane, and loss of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

Except as specified in paragraphs (h) and (i) of this AD: Perform all required actions within the compliance times specified in, and in accordance with, Transport Canada AD CF–2023–30, dated May 8, 2023 (Transport Canada AD CF–2023–30).

(h) Exceptions to Transport Canada AD CF–2023–30

(1) Where Transport Canada AD CF–2023–30 requires compliance from its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph A. of Transport Canada AD CF–2023–30 specifies “Before 31 January 2027,” replace that text with “Within 36 months after the effective date of this AD.”

(3) Where paragraph B. of Transport Canada AD CF–2023–30 specifies “At the next opportunity, when the affected engine is disassembled and access is available to the HPT disk, remove any affected HPT disk listed in Table 2 or Table 4 below and replace the affected HPT disk with a serviceable part,” replace that text with “For any engine with an installed HPT disk listed in Table 2 or Table 4 [of Transport Canada AD CF–2023–30], at the next piece-part exposure, remove the affected HPT disk from service and replace with a serviceable part.”

(i) No Reporting Requirement

Although the service information referenced in Transport Canada AD CF–2023–30 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Definitions

(1) For the purpose of this AD, “piece-part exposure” is when the affected part is removed from the engine and completely disassembled.

(2) For the purpose of this AD, a “serviceable part” is any HPT disk that is not identified in Tables 1 through 4 of Transport Canada AD CF–2023–30.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation

Branch, send it to the attention of the person identified in paragraph (l) of this AD and email to: ANE-AD-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(l) Additional Information

For more information about this AD, contact Barbara Caufield, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238–7146; email: barbara.caufield@faa.gov.

(m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Transport Canada AD CF–2023–30, dated May 8, 2023.

(ii) [Reserved]

(3) For Transport Canada AD CF–2023–30, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; phone: (888) 663–3639; email: TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca; website tc.canada.ca/en/aviation.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on October 30, 2023.

Victor Wicklund,

Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2023–24562 Filed 11–8–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–1673; Airspace Docket No. 22–AGL–38]

RIN 2120–AA66

Proposed Establishment of Class E Airspace; Paoli, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws the notice of proposed rulemaking (NPRM)

published in the **Federal Register** on December 22, 2022, proposing to establish Class E airspace at Paoli, IN. The FAA has determined that withdrawal of the NPRM is warranted as the airport has withdrawn its request to develop public instrument flight procedures necessitating the establishment of Class E airspace.

DATES: Effective as of 0901 UTC, November 9, 2023, the proposed rule published December 22, 2022 (87 FR 78616), is withdrawn.

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Reason for Withdrawal

The FAA published a NPRM on December 22, 2022 (87 FR 78616), Docket No. FAA–2022–1673, to amend 14 CFR 71 by establishing Class E airspace extending upward from 700 feet above the surface at Paoli Municipal Airport, Paoli, IN, to support instrument flight rule operations at this airport. Subsequent to publication, the FAA was notified that the airport has withdrawn its request to develop public instrument flight procedures at this airport which necessitated the Class E airspace.

Conclusion

The FAA determined that the NPRM published on December 22, 2022 (87 FR 78616), is unnecessary. Therefore, the FAA withdraws that NPRM.

Issued in Fort Worth, Texas, on November 6, 2023.

Martin A. Skinner,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2023–24843 Filed 11–8–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2023–2194; Airspace Docket No. 23–ASO–19]

RIN 2120–AA66

Amendment of VOR Federal Airways V–5, V–47, V–97, V–128, V–275, and V–517, and United States Area Navigation (RNAV) Route T–315, and Revocation of VOR Federal Airway V–19 in the Vicinity of Cincinnati, KY

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-5, V-47, V-97, V-128, V-275, and V-517, and United States Area Navigation (RNAV) route T-315, and revoke VOR Federal airway V-19. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the Cincinnati, KY (CVG), VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The Cincinnati VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Comments must be received on or before December 26, 2023

ADDRESSES: Send comments identified by FAA Docket No. FAA-2023-2194 and Airspace Docket No. 23-ASO-19 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 (NAS) 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 U.S.C. 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

VOR Federal airways are published in paragraph 6010(a) and United States Area Navigation Routes (T-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 Cincinnati, KY, VOR in May 2024. The Cincinnati VOR was 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 Cincinnati, KY, VORTAC is planned for decommissioning, the co-located Tactical Air Navigation (TACAN) portion of the NAVAID is being retained to provide navigational service for

military operations and Distance Measuring Equipment (DME) service in support of current and future NextGen PBN flight procedure requirements.

The VOR Federal airways affected by the Cincinnati VOR decommissioning are V-5, V-19, V-47, V-97, V-128, V-275, and V-517. With the planned decommissioning of the Cincinnati VOR, the remaining ground-based NAVAID coverage in the area is insufficient to enable the continuity of the affected airways. As such, proposed modifications to V-5, V-47, V-128, V-275, and V-517 would result in the airways being shortened; to V-97 would result in an existing gap in the airway being expanded; and to V-19 would result in the airway being revoked.

To address the proposed modifications to the affected VOR Federal airways, instrument flight rules (IFR) pilots operating aircraft equipped with RNAV capabilities could use RNAV routes T-213, T-215, and T-217 or navigate point-to-point using the existing fixes and waypoints (WP) that will remain in place to support continued operations though the affected area. IFR pilots operating aircraft not equipped with RNAV capabilities may request air traffic control (ATC) radar vectors to fly through or around the affected area. Additionally, visual flight rules pilots who elect to navigate via the affected Air Traffic Service (ATS) routes may also take advantage of the ATC services listed previously.

Additionally, the FAA proposes to modify United States RNAV route T-315 to further mitigate the proposed modifications to the affected airways. The route would be extended westward to mitigate the proposed removal of the affected V-128 airway segment. The extended T-315 would provide pilots with RNAV-equipped aircraft a route alternative through the affected area, reduce ATC sector workload and complexity, reduce pilot-to-controller communications, and support the FAA's continued NextGen efforts to modernize the NAS from a ground-based system to a satellite-based system.

The Proposal

The FAA is proposing to amend 14 CFR part 71 to amend VOR Federal airways V-5, V-47, V-97, V-128, V-275, and V-517, and United States RNAV route T-315, and to revoke VOR Federal airway V-19 due to the planned decommissioning of the VOR portion of the Cincinnati, KY, VORTAC. The proposed ATS route actions are described below.

V-5: V-5 currently extends between the Pecan, GA, VOR/DME and the

Athens, GA, VOR/DME and between the New Hope, KY, VOR/DME and the Appleton, OH, VORTAC. The FAA proposes to remove the airway segment between the Louisville, KY, VORTAC and the Appleton VORTAC due to the planned decommissioning of the VOR portion of the Cincinnati VORTAC. Additionally, the FAA proposes to also remove the airway segment between the New Hope, KY, VOR/DME and the Louisville, KY, VORTAC due to that airway segment overlapping V-513 which will remain charted and provide navigational guidance between the two NAVAIDs. As amended, the airway would be changed to extend between the Pecan VOR/DME and the Athens VOR/DME.

V-19: V-19 currently extends between the Cincinnati, KY (reflected as OH in the current description), VOR/DME and the Appleton, OH, VORTAC. The FAA proposes to revoke the airway in its entirety.

V-47: V-47 currently extends between the Cunningham, KY, VOR/DME and the Pocket City, IN, VORTAC and between the Cincinnati, KY, VORTAC and the Flag City, OH, VORTAC. The FAA proposes to remove the airway segment between the Cincinnati VORTAC and the Rosewood, OH, VORTAC due to the planned decommissioning of the VOR portion of the Cincinnati VORTAC. Additionally, the FAA proposes to also remove the airway segment between the Cunningham VOR/DME and the Pocket City VORTAC due to that airway segment overlapping both V-11 and V-305 that will remain charted and provide navigational guidance between the two NAVAIDs. As amended, the airway would be changed to extend between the Rosewood VORTAC and the Flag City VORTAC.

V-97: V-97 currently extends between the Dolphin, FL, VORTAC and the intersection of the Pecan, GA, VOR/DME 357° and Vienna, GA, VORTAC 300° radials (PRATZ Fix); between the intersection of the Rome, GA, VORTAC 060° and Volunteer, TN, VORTAC 197° radials (NELLO Fix) and the intersection of the Chicago Heights, IL, VORTAC 358° and DuPage, IL, VOR/DME 101° radials (NILES Fix); and between the Nodine, MN, VORTAC and the Gopher, MN, VORTAC. The airspace below 2,000 feet mean sea level (MSL) outside the United States is excluded. The FAA proposes to remove the airway segment between the Lexington, KY, VOR/DME and the Shelbyville, IN, VOR/DME due to the planned decommissioning of the VOR portion of the Cincinnati VORTAC. Additionally, the FAA proposes to also remove the airway segment between the

Shelbyville VOR/DME and the Chicago Heights VORTAC due to that airway segment overlapping V-51 that will remain charted and provide navigational guidance between the two NAVAIDs. Lastly, the FAA proposes to also remove the airway segment between the Chicago Heights VORTAC and the intersection of the Chicago Heights VORTAC 358° and DuPage VOR/DME 101° radials (NILES Fix) due to that airway segment overlapping V-7 that will remain charted and provide navigational guidance between the Chicago Heights VORTAC and the NILES Fix. As amended, the airway would be changed to extend between the Dolphin VORTAC and the Lexington VOR/DME and between the Nodine VORTAC and the Gopher VORTAC.

V-128: V-128 currently extends between the Brickyard, IN, VORTAC and the Casanova, VA, VORTAC. The FAA proposes to remove the airway segment between the Brickyard VORTAC and the York, KY, VORTAC. As amended, the airway would be changed to extend between the York VORTAC and the Casanova VORTAC. Additional airway changes have been proposed in a separate NPRM action.

V-275: V-275 currently extends between the Cincinnati, KY, VORTAC and the intersection of the Dayton, OH, VOR/DME 007° and Flag City, OH, VORTAC 313° radials (KLOEE Fix). The FAA proposes to remove the airway segment between the Cincinnati VORTAC and the Dayton VOR/DME. As amended, the airway would be changed to extend between the Dayton VOR/DME and the intersection of the Dayton VOR/DME 007° and Flag City VORTAC 313° radials (KLOEE Fix).

V-517: V-517 currently extends between the Snowbird, TN, VORTAC and the Cincinnati, KY, VORTAC. The FAA proposes to remove the airway segment between the Falmouth, KY, VOR/DME and the Cincinnati VORTAC. As amended, the airway would be changed to extend between the Snowbird VORTAC and the Falmouth VOR/DME.

T-315: T-315 currently extends between the JARLO, WV, WP and the Burlington, VT, VORTAC. The FAA proposes to extend the route westward from the JARLO WP to the Brickyard, IN, VORTAC. The route extension would include the ILILE, OH, Fix that would be converted to a WP prior to the planned decommissioning of the Cincinnati VOR. As amended, T-315 would be changed to extend between the Brickyard, IN, VORTAC and the Burlington, VT, VORTAC and provide mitigation for the proposed V-128 airway segment removal. Additional

route changes have been proposed in a separate NPRM action. The full T-315 route description is listed in the amendments to part 71 as set forth below.

The NAVAID radials listed in the VOR Federal airway descriptions in The Proposed Amendment section below 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 6010(a) Domestic VOR Federal Airways.

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V-5 [Amended]

From Pecan, GA; Vienna, GA; Dublin, GA; to Athens, GA.

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V-19 [Removed]

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V-47 [Amended]

From Rosewood, OH; to Flag City, OH.

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V-97 [Amended]

From Dolphin, FL; La Belle, FL; St. Petersburg, FL; Seminole, FL; Pecan, GA; to INT Pecan 357° and Vienna, GA 300° radials. From INT Rome, GA, 060° and Volunteer, TN, 197° radials; Volunteer; London, KY; to Lexington, KY. From Nodine, MN; to Gopher, MN. The airspace below 2,000 feet MSL outside the United States is excluded.

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V-128 [Amended]

From York, KY; Charleston, WV; to Casanova, VA.

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V-275 [Amended]

From Dayton, OH; to INT Dayton 007° and Flag City, OH, 313° radials.

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V-517 [Amended]

From Snowbird, TN; INT Snowbird 329° and London, KY, 141° radials; London; INT London 004° and Falmouth, KY, 164° radials; to Falmouth.

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Paragraph 6011 United States Area Navigation Routes.

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T-315 Brickyard, IN (VHP) to Burlington, VT (BTV) [Amended]

Brickyard, IN (VHP)	VORTAC	(Lat. 39°48'53.02" N, long. 086°22'03.00" W)
DECEE, IN	FIX	(Lat. 39°18'41.36" N, long. 085°45'56.84" W)
JADRO, IN	FIX	(Lat. 39°06'24.58" N, long. 085°01'30.97" W)
JIMUR, KY	FIX	(Lat. 39°01'17.62" N, long. 084°41'02.13" W)
CALIF, KY	FIX	(Lat. 38°56'01.97" N, long. 084°18'38.27" W)
ILILE, OH	WP	(Lat. 38°33'14.45" N, long. 082°36'07.02" W)
JARLO, WV	WP	(Lat. 38°20'58.85" N, long. 081°46'11.68" W)
SHANE, WV	FIX	(Lat. 37°58'31.15" N, long. 080°48'24.34" W)
DBRAH, VA	WP	(Lat. 37°20'34.14" N, long. 080°04'10.75" W)
SPNKS, VA	WP	(Lat. 37°17'21.31" N, long. 079°33'17.14" W)
KONRD, VA	WP	(Lat. 37°20'39.83" N, long. 079°01'33.27" W)
CRUMB, VA	FIX	(Lat. 37°28'09.44" N, long. 078°08'27.69" W)
Flat Rock, VA (FAK)	VORTAC	(Lat. 37°31'42.63" N, long. 077°49'41.59" W)
WAVES, VA	WP	(Lat. 37°35'13.54" N, long. 077°26'52.03" W)
TAPPA, VA	FIX	(Lat. 37°58'12.66" N, long. 076°50'40.62" W)
COLIN, VA	FIX	(Lat. 38°05'59.23" N, long. 076°39'50.85" W)
SHLBK, VA	WP	(Lat. 38°20'16.21" N, long. 076°26'10.51" W)
PRNCZ, MD	WP	(Lat. 38°37'38.10" N, long. 076°05'08.20" W)
CHOPS, MD	WP	(Lat. 38°45'41.81" N, long. 075°57'36.18" W)
COSHA, DE	WP	(Lat. 38°57'57.57" N, long. 075°30'51.59" W)
Atlantic City, NJ (ACY)	VORTAC	(Lat. 39°27'21.15" N, long. 074°34'34.73" W)
PANZE, NJ	FIX	(Lat. 39°40'33.58" N, long. 074°10'05.45" W)
DIXIE, NJ	FIX	(Lat. 40°05'57.72" N, long. 074°09'52.17" W)
Kennedy, NY (JFK)	VOR/DME	(Lat. 40°37'58.40" N, long. 073°46'17.00" W)
KEEPM, NY	FIX	(Lat. 40°50'14.77" N, long. 073°32'42.58" W)
TRANZ, NY	FIX	(Lat. 40°51'31.95" N, long. 073°22'30.80" W)
PUGGS, NY	WP	(Lat. 40°56'27.65" N, long. 073°13'47.73" W)
EEGOR, CT	WP	(Lat. 41°09'38.94" N, long. 073°07'27.66" W)
Hartford, CT (HFD)	VOR/DME	(Lat. 41°38'27.98" N, long. 072°32'50.70" W)
DVANY, CT	FIX	(Lat. 41°51'44.56" N, long. 072°18'11.25" W)
Gardner, MA (GDM)	VOR/DME	(Lat. 42°32'45.32" N, long. 072°03'29.48" W)
KEYNN, NH	WP	(Lat. 42°47'39.99" N, long. 072°17'30.35" W)
EBERT, VT	WP	(Lat. 43°32'58.08" N, long. 072°45'42.43" W)
Burlington, VT (BTV)	VOR/DME	(Lat. 44°23'49.58" N, long. 073°10'57.49" W)

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Issued in Washington, DC, on November 2, 2023.

Karen L. Chiodini,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2023–24661 Filed 11–8–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2023–0803]

RIN 1625–AA11

Security Zone; Coast Guard Sector Key West, Trumbo Point Annex, Key West Harbor, Key West, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a security zone for certain waters of the Key West Harbor surrounding the Coast Guard Sector Key West on Trumbo Point Annex. This action is necessary to safeguard Coast Guard assets in the interest of national security. This proposed rulemaking would prohibit persons and vessels from being in the security zone unless authorized by the Captain of the Port Key West or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before December 11, 2023.

ADDRESSES: You may submit comments identified by docket number USCG–2023–0803 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the

SUPPLEMENTARY INFORMATION section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Hailye Wilson, Waterways Management Division, U.S. Coast Guard; telephone 305–292–8768, email Hailye.M.Wilson@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

The Coast Guard Sector Key West, FL and its assets are on property previously under the control of the Naval Air Station (NAS) Key West, FL. The current regulations restricting vessel traffic in and around NAS Key West are found in 33 CFR 334.610 and are only enforceable by the Commanding Officer of NAS Key West, and certain designated agencies. Currently, the Coast Guard requires the authority from the Commanding Officer, NAS Key West, before they can enforce a security zone in and around Coast Guard property and assets. This additional step can generate unnecessary delays, which creates security concerns for the Coast Guard and potential hazards to the public. The Captain of the Port Key West (COTP) has determined that permanent security zone is in the interest of national security, the safety of life, and the prevention of damage to property.

The purpose of this rulemaking is to ensure the security of vessels, waterfront facilities, and personnel located at the Coast Guard, Sector Key West. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70051 and 70124.

III. Discussion of Proposed Rule

The COTP is proposing to establish a permanent security zone surrounding the Coast Guard Sector Key West, located adjacent to Trumbo Point Annex, Naval Air Station Key West. The security zone would cover all navigable waters within 100 yards of the Coast Guard Sector Key West. No vessel, other than Government-owned vessels and specifically authorized private craft, or persons would be permitted to stop or land in the security zone. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is

necessary, to select regulatory approaches that maximize net benefits. This NPRM has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the fact that the area covered by the permanent security zone created by this rulemaking is already a regulated restricted area as contained in 33 CFR 334.610. Unauthorized vessels and persons have not been allowed to stop and land within 100 yards of the Coast Guard base on Trumbo Point Annex through the regulation in § 334.610. This rulemaking allows the Coast Guard to enforce the restricted area through a security zone. Additionally, the security zone only extends 100 yards from the Coast Guard Sector Key West, located adjacent to Trumbo Point Annex, Naval Air Station Key West and does not impede any regular vessel traffic (*i.e.*, cruise ships, ferries, small passenger vessels, etc.). Vessels will be able to transit safely around the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

For the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rulemaking would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental