

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket No. 24456; Amendment No. 71-15]

RIN 2120-AB95

## Airspace Reclassification

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

**SUMMARY:** This action amends § 71.1 of the Federal Aviation Regulations to clarify the incorporation by reference of FAA Order 7400.7, Compilation of Regulations. This action explains how the FAA will amend the listings of Federal airways, area low routes, jet routes and other airspace incorporated by reference in part 71 during the incorporation by reference period.

**EFFECTIVE DATE:** This amendment is effective as of March 19, 1992, through September 15, 1993.

**FOR FURTHER INFORMATION CONTACT:** Mr. William Mosley, Air Traffic Rules Branch (ATP-230), Airspace Rules and Aeronautical Information Division, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9251.

## SUPPLEMENTARY INFORMATION:

## Background

FAA Order 7400.7 lists the airspace descriptions for all jet routes, area high routes, Federal airways, control areas, control area extensions, area low routes, control zones, transition areas, terminal control areas, airport radar service areas, positive control areas, and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal Register to incorporate the material by reference in § 71.1. The Director of the Federal Register approved the incorporation by reference of FAA Order 7400.7 in § 71.1 as of December 17, 1991 through September 15, 1993. However, § 71.1 did not describe how the FAA would handle changes to the airspace designations incorporated by reference in part 71. This rule explains how the FAA will amend these listings.

## The Rule

During the incorporation by reference period, the FAA will process all

proposed changes of the airspace listings in FAA Order 7400.7 in full text as proposed rule documents in the Federal Register. Likewise, all amendments of these listings will be published in full text as final rules in the Federal Register. The FAA will periodically integrate all final rule amendments into a revised edition of FAA Order 7400.7, and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in § 71.1.

The FAA has determined that this action: (1) is not a "major rule" under Executive Order 12291; (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.

This action is an amplification and clarification of an existing rule and does not place any new restriction or requirements on the public. Further, the FAA finds that this amendment does not involve a change in the dimensions or operating requirements of the airspace listings incorporated by reference in part 71. Consequently, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Because this action merely describes how the FAA will amend the listings contained in FAA Order 7400.7, the FAA finds that good cause exists, pursuant to 5 U.S.C. 553(d), for making the amendment effective in less than 30 days.

## List of Subjects in 14 CFR Part 71

Airspace, Airways, and Jet routes, Incorporation by reference.

## Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

## PART 71—[AMENDED]

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

2. Section 71.1 is revised to read as follows:

## § 71.1 Applicability.

The complete listing for all jet routes, area high routes, Federal airways, control areas, control area extensions, area low routes, control zones,

transition areas, terminal control areas, airport radar service areas, positive control areas, and reporting points can be found in FAA Order 7400.7, Compilation of Regulations, which was last published April 30, 1991, and effective November 1, 1991. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The approval to incorporate by reference FAA Order 7400.7 is effective as of December 17, 1991 through September 15, 1993. During the incorporation by reference period, proposed changes to the listings of jet routes, area high routes, Federal airways, control areas, control area extensions, area low routes, control zones, transition areas, terminal control areas, airport radar service areas, positive control areas, and reporting points will be published in full text as proposed rule documents in the Federal Register. Amendments to the listings of jet routes, area high routes, Federal airways, control areas, control area extensions, area low routes, control zones, transition areas, terminal control areas, airport radar service areas, positive control areas, and reporting points will be published in full text as final rules in the Federal Register. Periodically, the final rule amendments will be integrated into a revised edition of the compilation and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. Copies of this order may be obtained from the Document Inspection Facility, APA-220, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-3484. Copies may be inspected in Docket Number 24456 at the Federal Aviation Administration, Office of the Chief Counsel, AGC-10, room 915G, 800 Independence Avenue, SW., Washington, DC 20591 weekdays between 8:30 a.m. and 5 p.m., or at the Federal Register, 1100 L Street, NW., room 8401, Washington, DC. This section is effective as of December 17, 1991, through September 15, 1993.

Issued in Washington, DC, on March 13, 1992.

Harold W. Becker,

Acting Director, Air Traffic Rules and Procedures Service.

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