

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2022-1769; Airspace  
Docket No. 22-AAL-8]

RIN 2120-AA66

**Revocation of Colored Federal Airway  
Blue 38 (B-38) and Blue 40 (B-40);  
Haines, AK**

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

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

**SUMMARY:** This action proposes to  
revoke Colored Federal airway Blue 38  
(B-38) and Blue 40 (B-40) in the  
vicinity of Haines, AK due to the  
pending decommissioning of the Haines  
(HNS) Non-directional Beacon (NDB).

**DATES:** Comments must be received on  
or before March 13, 2023.

**ADDRESSES:** Send comments on this  
proposal to the U.S. Department of  
Transportation, Docket Operations, 1200  
New Jersey Avenue SE, West Building  
Ground Floor, Room W12-140,  
Washington, DC 20590; telephone: (800)  
647-5527, or (202) 366-9826. You must  
identify FAA Docket No. FAA-2022-  
1769; Airspace Docket No. 22-AAL-8 at  
the beginning of your comments. You  
may also submit comments through the  
internet at [www.regulations.gov](http://www.regulations.gov).

FAA Order JO 7400.11G, Airspace  
Designations and Reporting Points, and  
subsequent amendments can be viewed  
online at [www.faa.gov/air\\_traffic/  
publications/](http://www.faa.gov/air_traffic/publications/). For further information,  
you can contact the Rules and  
Regulations Group, Federal Aviation  
Administration, 800 Independence  
Avenue SW, Washington, DC, 20591;  
telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:**  
Steven Roff, 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 route structure as necessary  
to preserve the safe and efficient flow of  
air traffic within the National Airspace  
System (NAS).

**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-  
2022-1769; Airspace Docket No. 22-  
AAL-8) 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  
[www.regulations.gov](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-2022-1769; Airspace  
Docket No. 22-AAL-8." The postcard  
will be date/time stamped and returned  
to the commenter.

All communications received on or  
before the specified comment closing  
date 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  
comment closing date. A report  
summarizing each substantive public  
contact with FAA personnel concerned  
with this rulemaking will be filed in the  
docket.

**Availability of NPRM**

An electronic copy of this document  
may be downloaded through the  
internet at [www.regulations.gov](http://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/](http://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 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 Operations Support Group, Western  
Service Center, Federal Aviation  
Administration, 2200 South 216th St.,  
Des Moines, WA 98198.

**Availability and Summary of  
Documents for Incorporation by  
Reference**

This document proposes to amend  
FAA Order JO 7400.11G, Airspace  
Designations and Reporting Points,  
dated August 19, 2022, and effective  
September 15, 2022. FAA Order JO  
7400.11G is publicly available as listed  
in the **ADDRESSES** section of this  
document. FAA Order JO 7400.11G lists  
Class A, B, C, D, and E airspace areas,  
air traffic service routes, and reporting  
points.

**Background**

The aviation industry has indicated a  
desire for the FAA to transition Alaskan  
en route navigation structures away  
from NDB dependency. Advances in  
technology have allowed for alternate  
navigation methods to support  
decommissioning of high-cost ground  
navigation equipment, such as NDBs.  
The FAA conducted a non-rulemaking  
study in accordance with FAA Order JO  
7400.2, Procedures for Handling  
Airspace Matters, in 2022 on the HNS  
NDB due to the ongoing high cost of  
maintenance and repairs. Interested  
parties were invited to participate in  
this effort by submitting comments on  
the proposal. The FAA received no  
comments or objections to the study,  
and as a result of the study, added the  
HNS NDB to the schedule to be  
decommissioned.

Colored Federal airway B-38 extends  
between the HNS NDB and the Elephant  
(EEF) NDB. The decommissioning of the  
HNS NDB would render B-38 unusable.  
This proposal would revoke B-38 in its  
entirety. The mitigation to the loss of B-  
38 is in place with United States Area  
Navigation (RNAV) Route T-266  
overlying or paralleling the entire route.

Colored Federal airway B-40 extends  
between the HNS NDB and Robinson  
Radio Beacon, YT, Canada, excluding  
the portion within Canada. The  
decommissioning of the HNS NDB  
would render B-40 unusable. This  
proposal would revoke B-40 in its  
entirety. The FAA is establishing United

States Area Navigation (RNAV) Route T-481 (published as T-383 in Docket No. FAA-2022-0249 in the **Federal Register** (87 FR 16681; March 24, 2022) overlying or paralleling the entire route to mitigate the loss of B-40.

### The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to revoke Colored Federal airway B-38 and B-40 in the vicinity of Haines, AK due to the decommissioning of the HNS NDB. B-38 currently extends between the HNS NDB and the EEF NDB. B-40 extends between the HNS NDB and Robinson Radio Beacon, YT, Canada, excluding the portion within Canada.

Colored Federal airways are published in paragraph 6009(d) of FAA Order JO 7400.11G dated August 19, 2022 and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Colored Federal airways listed in this document would be removed subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

### 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 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.

### 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 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

*Paragraph 6009(d) Colored Federal Airways.*

\* \* \* \* \*

**B-38 [Remove]**

**B-40 [Remove]**

\* \* \* \* \*

Issued in Washington, DC, on January 23, 2023.

**Brian Konie,**

*Acting Manager, Airspace Rules and Regulations.*

[FR Doc. 2023-01605 Filed 1-26-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2022-1678; Airspace Docket No. 22-AWA-4]

#### Amendment of the Nashville International Airport Class C Airspace; Nashville, TN; and the John C. Tune Airport Class D Airspace; Nashville, TN

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

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

**SUMMARY:** This action proposes to reconfigure the Nashville International Airport (BNA) Class C airspace area, and amend the ceiling of the John C. Tune Airport (JWN) Class D airspace area. The FAA is proposing this action to reduce the risk of midair collisions, and enhance the efficient management of air traffic operations in the Nashville, TN, terminal area.

**DATES:** Comments must be received on or before March 28, 2023.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: (800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2022-1678; Airspace Docket No. 22-AWA-4, at the beginning of your comments. You may also submit comments through the internet at [www.regulations.gov](http://www.regulations.gov).

FAA Order 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, 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 airspace structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System (NAS).

#### 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,