

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 rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

#### List of Subjects in 14 CFR Part 71

Airspace, incorporation by reference, navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the FAA amends 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 part 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 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### AWP CA E5 Hanford, CA [Amended]

Hanford Municipal Airport, CA  
(Lat. 36°19′00″ N, long. 119°37′40″ W)

That airspace extending upward from 700 feet above the surface within a 2.8-mile radius of the airport, and within 2.4 miles each side of the 142° bearing from the airport extending from the 2.8-mile radius to 7 miles southeast of the airport, and within 2.4 miles

each side of the 345° bearing from the airport extending from the 2.8-mile radius to 7 miles north of the airport.

Issued in Des Moines, Washington, on February 27, 2023.

**B.G. Chew,**

*Group Manager, Operations Support Group,  
Western Service Center.*

[FR Doc. 2023–04587 Filed 3–6–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2022–1453; Airspace  
Docket No. 21–AWP–57]

RIN 2120–AA66

#### Establishment of Class E Airspace; Mefford Field Airport, CA

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace extending upward from 700 feet above the surface at Mefford Field Airport, Tulare, CA. The establishment of Class E airspace supports the safety of instrument flight rules (IFR) arrival, departure, and missed approach operations at the airport.

**DATES:** Effective 0901 UTC, June 15, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** 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 Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

**FOR FURTHER INFORMATION CONTACT:** Keith Adams, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–2428.

#### 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 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 establishes Class E airspace at Mefford Field Airport, Tulare, CA, to support the safety and management of IFR operations at the airport.

#### History

The FAA published a notice of proposed rulemaking in the **Federal Register** for FAA–2022–1453 (87 FR 76593; December 15, 2022) to establish Class E airspace extending upward from 700 feet above the surface at Mefford Field Airport, Tulare, CA. This action supports IFR operations at the airport. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

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

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

#### The Rule

The FAA is amending 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface at Mefford Field Airport, Tulare, CA. The Class E airspace will be established extending upward from 700 feet above the surface within 1.8 miles each side of the 142° bearing from the airport, extending 6.4 miles southeast from the airport, and within 1.8 miles each side of the 322° bearing from the airport, extending 6.4 miles northwest of the airport. This airspace is designed to contain IFR departures to 1,200 feet above the surface and IFR arrivals descending below 1,500 feet above the surface. The establishment of Class E airspace supports the safety of IFR operations at the airport.

Class E5 airspace designations are published in paragraphs 6005 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 Class E airspace designation listed in this document will be published subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11 is published annually and becomes effective on September 15.

### Regulatory Notices and Analyses

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, is non-controversial, and unlikely to result in adverse or negative comments. 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 rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### **AWP CA E5 Tulare, CA [New]**

Mefford Field Airport, CA  
(lat. 36°9′24″ N, long. 119°19′36″ W)

That airspace extending upward from 700 feet above the surface within 1.8 miles each side of the 142° bearing from the airport extending to 6.4 miles southeast of the airport, and within 1.8 miles each side of the 322° bearing from the airport extending to 6.4 miles northwest of the airport.

Issued in Des Moines, Washington, on February 27, 2023.

#### **B.G. Chew,**

*Acting Group Manager, Operations Support Group, Western Service Center.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

**[EPA–R08–OAR–2021–0005; FRL–8683–02–R8]**

#### **Air Plan Approval; North Dakota; Revisions to Permitting Rules; and Correction**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** In accordance with the Clean Air Act (CAA), the Environmental Protection Agency (EPA) is taking final action to approve State Implementation Plan (SIP) revisions submitted by North Dakota on August 3, 2020. The revisions contain amendments to the State’s Ambient Air Quality Standards, Permit to Construct, and Prevention of Significant Deterioration (PSD) regulations. In addition, we are correcting the citation to a revision to North Dakota Administrative Code (NDAC) section 33.1–15–20–04.4. In our proposal, we provided the incorrect citation to section 33.1–15–20–04.3.

**DATES:** This final rule is effective on April 6, 2023.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2021–0005. All documents in the docket are listed on

the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Kevin Leone, Air and Radiation Division, EPA, Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–6227, email address: [leone.kevin@epa.gov](mailto:leone.kevin@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document “we,” “us,” and “our” means the EPA.

### **I. Background**

The EPA is taking final action to approve the SIP amendments to the North Dakota Administrative Code (NDAC), which North Dakota submitted to EPA on August 3, 2020. These amendments to the NDAC are found in Article 33.1–15 (Air Pollution Control) and include revisions to Chapter 33.1–15–01 (General Provisions), Chapter 33.1–15–02 (Ambient Air Quality Standards, Table 1), Chapter 33.1–15–03 (Restriction of Emission of Visible Air Contaminants), Chapter 33.1–15–14 (Designated Air Contaminant Sources, Permit to Construct, Minor Source Permit to Operate, Title V to Operate), Chapter 33.1–15–15 (Prevention of Significant Deterioration of Air Quality), Chapter 33.1–15–19 (Visibility Protection), and Chapter 33.1–15–20 (Control of Emissions from Oil and Gas Well Production Facilities). Revisions to Chapter 33.1–15–25 (Regional Haze Requirements) were acted on in a separate rulemaking.<sup>1</sup> North Dakota is also revising Chapter 2 Section 2.15 (Respecting Boards) located in North Dakota’s EPA Approved Nonregulatory Provisions and Quasi-Regulatory Measures.

In addition to taking final action approving North Dakota’s revisions, we are also correcting an error in citation we made in our proposal for the revision to section 33.1–15–10–04.4. In our **Federal Register** document 86 FR 41413, appearing on page 41415 in

<sup>1</sup> The EPA approved North Dakota’s rule revisions to chapter 33.1–15–25 (regional haze) on June 8, 2021 (86 FR 30387).