

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2023-1276; Airspace Docket No. 22-AEA-37]

RIN 2120-AA66

#### Amendment of United States Area Navigation (RNAV) Routes; Eastern United States

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

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

**SUMMARY:** This action proposes to amend six United States Area Navigation (RNAV) Q-routes in the eastern United States. This action supports the Northeast Corridor Atlantic Coast Routes (NEC ACR) Optimization Project to improve the efficiency of the National Airspace System (NAS).

**DATES:** Comments must be received on or before July 21, 2023.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA-2023-1276 and Airspace Docket No. 22-AEA-37 using any of the following methods:

\* *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://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](http://www.regulations.gov) at any time.

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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/). 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:** 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 amends the route structure to maintain the 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](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

##### Availability of Rulemaking Documents

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 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 Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, GA 30337.

##### Incorporation by Reference

United States Area Navigation routes are published in paragraph 2006 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 7400.11G, dated August 19, 2022, and effective September 15, 2022. 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 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to amend RNAV routes Q-97, Q-117, Q-131, Q-167, Q-409, and Q-439 to enhance the efficiency of the NEC ACR Optimization Project, resolve issues of similar sounding waypoint (WP) names that may cause confusion in communications, and to remove points that are not required in the route descriptions.

**Q-97:** Q-97 currently extends from the TOVAR, FL, WP to the Presque Isle, ME (PQI) Very High Frequency (VHF) Omnidirectional Range/Distance Measuring Equipment (VOR/DME). This action proposes to remove the following WPs and one Fix from the route because they do not denote a turn of one degree or more: EBAYY, FL; ELMSZ, SC; YURCK, NC; YEASO, NC; KOHLS, NC; HEADI, NJ; SAILN, OA (*i.e.*, OA means Offshore Atlantic); BEEKN, ME; and the BRIGS, NJ, Fix. In addition, the DELAAY, MD, WP would be moved, along the route, 11.5 nautical miles (NM) south of its current position. The move is required to deconflict New York arrival traffic from departures that are climbing southbound on RNAV routes Q-97 and Q-167. These changes would not affect the alignment of Q-97.

**Q-117:** Q-117 currently extends from YLEEE, NC to SAWED, VA. This action proposes to change the name of the YLEEE, NC, WP to the PRONI, NC, WP to eliminate confusion with another similar sounding WP name. This has led to navigation system data entry errors. The PRONI, NC, WP would have the same latitude/longitude coordinates as the YLEEE WP so the alignment of Q-117 would remain unchanged. As amended, Q-117 would extend from PRONI, NC to SAWED, VA.

**Q-131:** Q-131 currently extends from ZILLS, NC to ZJAAY, MD. To resolve confusion with similar sounding WP names, this action would change the name of the ZILLS, NC, WP to the WAALT, NC, WP; and change the YLEEE, NC, WP to the PRONI, NC, WP. The new WPs retain the same latitude/longitude coordinates as the points they would replace. This action would also remove the route segment from KALDA, VA to ZJAAY, MD from Q-131. That segment is being incorporated into RNAV route Q-101 in order to match the Q route structure with preferred

routing and air traffic control system automation, to improve the efficiency to the NAS. As amended, Q-131 would extend from WAALT, NC to KALDA, VA.

**Q-167:** Q-167 currently extends from ZJAAY, MD to SSOXS, MA. This action would extend Q-167 12 NM southwestward from the ZJAAY, MD, WP to the KALDA, VA, WP to link with additional Q routes. In addition, the following WPs would be removed from the route description because they do not denote a turn of one degree or more: TOPRR, OA; SPDEY, OA; GRONC, NY, and NESTT, RI. The YAZUU, NJ, Fix, and the EMJAY, NJ, Fix would also be removed for the same reason. The following Fixes in the Q-167 route description are reclassified as WPs to match the National Airspace System Resource (NASR) database updates: ZIZZI, NJ; RIFLE, NY; and HOFFI, NY. As amended, Q-167 would extend from KALDA, VA to SSOXS, MA.

**Q-409:** Q-409 currently extends from ENEME, GA to WHITE, NJ. This action proposes to change the name of the GNARO, DE, WP to the OYVAY, DE, WP due to word pronunciation issues causing confusion for flight crews. In addition, the OYVAY WP would be relocated 4.37 NM southwest of the GNARO WP position. The TRPOD, MD, WP would be moved approximately 0.5 NM from its current position per air traffic control request. In addition, the JROSS, SC, WP and the DEEEZ, NC, WP would be removed from the route description because they do not denote a turn of one degree or more.

**Q-439:** Q-439 currently extends from BRIGS, NJ to Presque Isle, ME. Air traffic control requested that Q-439 be extended southwest from the BRIGS, NJ, Fix to overlie a portion of existing RNAV route Q-445 from BRIGS to a new HOWYU, DE, WP. This would add the HOWYU WP as the new starting point for Q-439. The RADDS, DE, Fix, and the WNSTN, NJ, WP would be to the route description between the HOWYU, DE, WP and the MANTA, NJ, Fix. The following Fixes would be removed from the route description because they do not denote a turn of one degree or more: BRIGS, NJ; DRIFT, NJ; PLUME, NJ; SHERL, NJ; DUNDEE, NY; and FRIAR, ME. In addition, the RIFLE, NY, Fix would be reclassified as a WP to match the NASR database updates. As amended, Q-439 would extend from the HOWYU, DE, Fix to Presque Isle, ME.

Full descriptions of the above amended routes are listed in the proposed amendments to part 71 set forth below.

This proposal supports the NEC ACR Optimization Project to improve the efficiency of the NAS.

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

*Paragraph 2006 United States Area Navigation Routes.*

\* \* \* \* \*

**Q-97 TOVAR, FL to Presque Isle, ME (PQI) [Amended]**

TOVAR, FL	WP	(Lat. 26°33'05.09" N, long. 080°02'19.75" W)
MALET, FL	FIX	(Lat. 28°41'29.90" N, long. 080°52'04.30" W)
DEBRL, FL	WP	(Lat. 29°17'48.73" N, long. 081°08'02.88" W)
KENLL, FL	WP	(Lat. 29°34'28.35" N, long. 081°07'25.26" W)
PRMUS, FL	WP	(Lat. 29°49'05.67" N, long. 081°07'20.74" W)
WOPNR, OA	WP	(Lat. 30°37'36.03" N, long. 081°04'26.44" W)
JEVED, GA	WP	(Lat. 31°15'02.60" N, long. 081°03'40.14" W)
CAKET, SC	WP	(Lat. 32°31'08.63" N, long. 080°16'09.21" W)
ELLDE, NC	WP	(Lat. 34°24'14.57" N, long. 078°41'50.60" W)
PAACK, NC	WP	(Lat. 35°55'40.26" N, long. 077°15'30.99" W)
SAWED, VA	FIX	(Lat. 37°32'00.73" N, long. 075°51'29.10" W)
KALDA, VA	WP	(Lat. 37°50'31.05" N, long. 075°37'35.34" W)
ZJAAAY, MD	WP	(Lat. 38°03'09.95" N, long. 075°26'34.27" W)
DLAAY, MD	WP	(Lat. 38°15'02.70" N, long. 075°16'52.87" W)
Calverton, NY (CCC)	VOR/DME	(Lat. 40°55'46.63" N, long. 072°47'55.89" W)
NTMEG, CT	WP	(Lat. 41°16'30.75" N, long. 072°28'52.08" W)
VENTE, MA	WP	(Lat. 42°08'24.33" N, long. 071°53'38.08" W)
BLENO, NH	WP	(Lat. 42°54'55.00" N, long. 071°04'43.37" W)
FRIAR, ME	FIX	(Lat. 44°26'28.93" N, long. 069°53'04.38" W)
Presque Isle, ME (PQI)	VOR/DME	(Lat. 46°46'27.07" N, long. 068°05'40.37" W)

\* \* \* \* \*

**Q-117 PRONI, NC to SAWED, VA [Amended]**

PRONI, NC	WP	(Lat. 34°33'40.63" N, long. 077°40'27.89" W)
CUDLE, NC	WP	(Lat. 35°08'19.48" N, long. 077°32'36.22" W)
KTEEE, NC	WP	(Lat. 35°54'55.66" N, long. 076°57'30.45" W)
SAWED, VA	WP	(Lat. 37°32'00.73" N, long. 075°51'29.10" W)

\* \* \* \* \*

**Q-131 WAALT, NC to KALDA, VA [Amended]**

WAALT, NC	WP	(Lat. 33°47'32.68" N, long. 077°52'08.59" W)
PRONI, NC	WP	(Lat. 34°33'40.63" N, long. 077°40'27.89" W)
EARZZ, NC	WP	(Lat. 35°54'39.84" N, long. 076°51'21.64" W)
ODAWG, VA	WP	(Lat. 37°07'11.61" N, long. 076°02'03.17" W)
KALDA, VA	WP	(Lat. 37°50'31.05" N, long. 075°37'35.34" W)

\* \* \* \* \*

**Q-167 KALDA, VA to SSOXS, MA [Amended]**

KALDA, VA	WP	(Lat. 37°50'31.06" N, long. 075°37'35.34" W)
ZJAAAY, MD	WP	(Lat. 38°03'09.95" N, long. 075°26'34.27" W)
PAJET, DE	WP	(Lat. 38°28'04.13" N, long. 075°03'00.55" W)
CAANO, DE	WP	(Lat. 38°31'46.37" N, long. 074°58'52.32" W)
TBONN, OA	WP	(Lat. 38°45'02.83" N, long. 074°45'03.77" W)
ZIZZI, NJ	WP	(Lat. 38°56'26.46" N, long. 074°31'44.27" W)
RIFLE, NY	WP	(Lat. 40°41'24.18" N, long. 072°34'54.89" W)
HOFFI, NY	WP	(Lat. 40°48'03.46" N, long. 072°27'41.97" W)
ORCHA, NY	WP	(Lat. 40°54'55.46" N, long. 072°18'43.64" W)
ALBOW, NY	WP	(Lat. 41°02'04.04" N, long. 071°58'30.69" W)
BUZRD, MA	WP	(Lat. 41°32'45.88" N, long. 070°57'50.69" W)
SSOXS, MA	FIX	(Lat. 41°50'12.62" N, long. 070°44'46.26" W)

\* \* \* \* \*

**Q-409 ENEME, GA to WHITE, NJ [Amended]**

ENEME, GA	WP	(Lat. 30°42'12.09" N, long. 082°26'09.31" W)
PUPYY, GA	WP	(Lat. 31°24'35.58" N, long. 081°49'06.19" W)
ISUZO, GA	WP	(Lat. 31°57'47.85" N, long. 081°14'14.79" W)
KONEY, SC	WP	(Lat. 32°17'01.62" N, long. 081°01'23.79" W)
SESUE, SC	WP	(Lat. 33°52'02.58" N, long. 079°33'51.88" W)
OKNEE, SC	WP	(Lat. 34°15'39.92" N, long. 079°10'40.68" W)
MRPIT, NC	WP	(Lat. 34°26'05.09" N, long. 079°01'45.10" W)
GUILD, NC	WP	(Lat. 36°18'49.56" N, long. 077°14'59.96" W)
CRPLR, VA	WP	(Lat. 37°36'24.01" N, long. 076°09'57.67" W)
TRPOD, MD	WP	(Lat. 38°20'20.33" N, long. 075°32'01.85" W)
OYVAY, DE	WP	(Lat. 39°02'18.85" N, long. 075°26'18.04" W)
VILLS, NJ	WP	(Lat. 39°18'03.87" N, long. 075°06'37.89" W)
Coyle, NJ (CYN)	VORTAC	(Lat. 39°49'02.42" N, long. 074°25'53.85" W)
WHITE, NJ	FIX	(Lat. 40°00'24.32" N, long. 074°15'04.61" W)

\* \* \* \* \*

**Q-439 HOWYU, DE to Presque Isle, ME (PQI) [Amended]**

HOWYU, DE	WP	(Lat. 38°28'39.48" N, long. 075°14'01.16" W)
RADDS, DE	FIX	(Lat. 38°38'54.80" N, long. 075°05'18.48" W)
WNSTN, NJ	WP	(Lat. 39°05'43.81" N, long. 074°48'01.20" W)
MANTA, NJ	FIX	(Lat. 39°54'07.01" N, long. 073°32'31.63" W)
SARDI, NY	FIX	(Lat. 40°31'26.61" N, long. 072°47'55.87" W)
RIFLE, NY	WP	(Lat. 40°41'24.18" N, long. 072°34'54.89" W)
FOXWD, CT	WP	(Lat. 41°48'21.66" N, long. 071°48'07.03" W)
BOGRT, MA	WP	(Lat. 42°13'56.08" N, long. 071°31'07.37" W)
BLENO, NH	WP	(Lat. 42°54'55.00" N, long. 071°04'43.37" W)
BEEKN, ME	WP	(Lat. 43°20'51.95" N, long. 070°44'50.28" W)
Presque Isle, ME (PQI)	VOR/DME	(Lat. 46°46'27.07" N, long. 068°05'40.37" W)

\* \* \* \* \*

Issued in Washington, DC, on May 30, 2023.

**Brian Konie,**

*Acting Manager, Airspace Rules and Regulations.*

[FR Doc. 2023-11908 Filed 6-5-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2023-0735; Airspace Docket No. 23-ASW-11]

RIN 2120-AA66

#### Amendment of Class E Airspace; Ruston, LA

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

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

**SUMMARY:** This action proposes to amend the Class E airspace at Ruston, LA. The FAA is proposing this action as the result of an airspace review caused by the decommissioning of the Ruston non directional beacon (NDB). The geographic coordinates of the airport would also be updated to coincide with the FAA's aeronautical database.

**DATES:** Comments must be received on or before July 21, 2023.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA-2023-0735 and Airspace Docket No. 23-ASW-11 using any of the following methods:

\* *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instruction 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.

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New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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**FOR FURTHER INFORMATION CONTACT:** Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5857.

#### 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 would amend the Class E airspace extending upward from 700 feet above the surface at Ruston Regional Airport, Ruston, LA, to support instrument flight rule operations at this airport.

##### 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 received 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.

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##### Availability of Rulemaking Documents

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You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

##### Incorporation by Reference

Class E airspace is published in paragraph 6005 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 7400.11G, dated August 19, 2022, and effective September 15, 2022. These updates would be published subsequently 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 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

##### The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying the