

Issued on July 10, 2024.

**Peter A. White,**

*Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2024–1088; Airspace Docket No. 24–AWA–2]

RIN 2120–AA66

#### **Amendment of Class C Airspace; Fayetteville Regional/Grannis Field and Pope AFB, Fayetteville, NC**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Fayetteville Regional/Grannis Field and Pope AFB, NC, Class C airspace descriptions to update the geographic coordinates of each airport reference point (ARP) and update the Pope AFB airport name to match the FAA's National Airspace System Resources (NASR) database information. Additionally, this action amends the airspace description by updating the header format. This action does not change the boundaries, altitudes, or operating requirements of the Class C airspace areas.

**DATES:** Effective date 0901 UTC, October 31, 2024. The Director of the Federal Register approves this incorporation by reference action under 14 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of this final rule and all background material may be viewed online at [www.regulations.gov](http://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, 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:** Brian Vidis, 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 updates the information in the Fayetteville Regional/Grannis Field and Pope AFB, NC, Class C airspace descriptions.

##### **History**

During a review of the Fayetteville Regional/Grannis Field and Pope AFB, NC, Class C airspace descriptions, the FAA identified the need to update the name of the Pope AFB, update ARP geographic coordinates for the Fayetteville Regional/Grannis Field, Gray's Creek Airport, and Pope AFB, and to update the text header format for the Fayetteville Regional/Grannis Field and Pope AFB Class C airspace descriptions as published in FAA Order JO 7400.11H.

##### **Incorporation by Reference**

Class C airspace areas are published in paragraph 4000 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 amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

##### **The Rule**

This action amends 14 CFR part 71 by amending the Fayetteville Regional/Grannis Field and Pope AFB, NC, Class C airspace descriptions as published in FAA Order JO 7400.11H, Airspace Designations and Reporting Points.

In the description of Fayetteville Regional/Grannis Field the ARP geographic coordinates for the Fayetteville Regional/Grannis Field are updated from “lat. 34°59'29" N, long. 78°52'48" W” to “lat. 34°59'28" N, long. 078°52'49" W.” The ARP geographic coordinates for the Gray's Creek Airport are updated from “lat. 34°53'04" N, long. 78°50'08" W” to “lat. 34°53'37" N, long. 078°50'37" W” which matches the FAA's NASR database information. Additionally, the airport name is removed from the first line in the text header of the description leaving the city and state which align with the current formatting standard.

In the description of Pope AFB, the name “Pope AFB” is changed to “Pope AAF” to match the Airport Master Record database. The ARP geographic coordinates are updated from “lat. 35°10'16" N, long. 79°00'52" W” to “lat. 35°10'15" N, long. 079°00'52" W” which matches the FAA's NASR database information. Additionally, the airport name is removed from the first line in the text header of the description leaving the city and state which align with the current formatting standard. In the body of the Class C description, the name “Pope AFB” is changed to “Pope AAF.”

This action consists of administrative changes only and does not affect the boundaries, altitudes, or operating requirements of the airspace. Therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

##### **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. 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does 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 of amending the Fayetteville Regional/Grannis Field and Pope AFB, NC, Class C airspace descriptions to update geographic coordinates of the

ARP and update the name of Pope AFB to match the FAA's NASR database information, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

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

Airspace, Incorporation by reference, Navigation (air).

#### 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 JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, effective September 15, 2023, is amended as follows:

*Paragraph 4000 Class C Airspace.*

\* \* \* \* \*

#### ASO NC C Fayetteville, NC [Amended]

Fayetteville Regional/Grannis Field, NC  
(Lat. 34°59'28" N, long. 078°52'49" W)  
Gray's Creek Airport

(Lat. 34°53'37" N, long. 078°50'37" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 5-mile radius of the Fayetteville Regional/Grannis Field excluding that airspace below 1,400 feet MSL within a 1.5-mile radius of Gray's Creek Airport; and that airspace within a 10-mile radius of the airport extending upward from 1,400 feet MSL to and including 4,200 feet MSL, excluding that airspace contained within Restricted Areas R–5311A, B and C when they are active.

\* \* \* \* \*

#### ASO NC C Fayetteville, NC [Amended]

Pope AAF, NC

(Lat. 35°10'15" N, long. 079°00'52" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 5-mile radius of the Pope AAF, excluding that airspace below 1,400 feet MSL contained in the Simmons Army Air Field, NC, Class D airspace area, and excluding that airspace contained within Restricted Areas R–5311A, B and C when they are active; and that airspace within a 10-mile radius of Pope AAF extending upward from 2,000 feet MSL to and including 4,200 feet MSL, beginning at the northern boundaries of R–5311A, B and C clockwise to the 020° bearing from the airport; and that airspace extending upward from 1,400 feet MSL to and including 4,200 feet MSL within a 10-mile radius of the airport beginning at the 020° bearing from the airport clockwise to the northern boundaries of R–5311A, B and C, excluding that airspace contained in R–5311A, B and C when they are active and excluding that airspace contained in the Fayetteville Regional/Grannis Field Airport, NC, Class C airspace area.

\* \* \* \* \*

Issued in Washington, DC, on July 11, 2024.

**Brian Eric Konie,**

*Acting Manager, Rules and Regulations Group.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 121

[Docket No. FAA–2019–0360; Amdt. No. 121–392A]

RIN 2120–AL12

#### Removal of Check Pilot Medical Certificate Requirement; Correction

**AGENCY:** Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

**ACTION:** Final rule; correction.

**SUMMARY:** On June 24, 2024, the Federal Aviation Administration (FAA) published the final rule entitled

*Removal of Check Pilot Medical Certificate Requirement.* In that final rule, the FAA made two errors in the amendatory instructions. This correction corrects those errors.

**DATES:** This correction is effective July 18, 2024.

#### FOR FURTHER INFORMATION CONTACT:

Joshua Jackson, Aviation Safety Inspector, Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: 202–267–8166; email: [joshua.jackson@faa.gov](mailto:joshua.jackson@faa.gov).

#### SUPPLEMENTARY INFORMATION:

As discussed in the notice of proposed rulemaking (NPRM),<sup>1</sup> the regulations establishing the requirements for flight instructors and check airmen in 14 CFR parts 121 and 135 are unclear regarding the medical certificate requirements when flight instructors or check airmen perform their duties in aircraft. The regulations indicate that flight instructors conducting flight training and check airmen administering checks in aircraft must hold a third-class medical certificate when not serving as a required flightcrew member. Elsewhere, however, the regulations also state that no medical certificate is required unless the flight instructor or check airman is serving as a required crewmember. Additionally, part 135 check pilots (aircraft) were held to different medical certification standards than part 121 check pilots and flight instructors and part 135 flight instructors.<sup>2</sup>

On June 18, 2024, the FAA published a final rule in the **Federal Register** to resolve the discrepancy in the pertinent regulations by clarifying that flight instructors, check pilots, and check flight engineers must hold the appropriate medical certificate only when serving as required flightcrew members in an aircraft.<sup>3</sup> The final rule also includes nonsubstantive nomenclature changes and reorganizes certain sections of parts 121 and 135.

In publishing the final rule, the FAA made two inadvertent errors in the amendatory instructions of the

<sup>1</sup> *Removal of Check Pilot Medical Certificate Requirement* notice of proposed rulemaking, 84 FR 25499 (Jun. 3, 2019).

<sup>2</sup> Specifically, § 135.337(b)(5) states that a check airman (aircraft) must hold at least a third-class medical certificate unless serving as a required crewmember and the exception in § 135.337(e) that a check airman who does not hold the appropriate medical certificate may serve as a check airman, but not a required flightcrew member, applies only to check airmen (simulators). This differs from how the regulations treat part 121 check airmen and flight instructors and part 135 flight instructors.

<sup>3</sup> *Removal of Check Pilot Medical Certificate Requirement* final rule, 89 FR 51415 (Jun. 18, 2024).