[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2013-0038; Airspace Docket No. 13-AEA-2]

Proposed Amendment of Class D and E Airspace, and Establishment

of Class E Airspace; Oceana NAS, VA.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D and Class E Airspace

operating hours, and establish Class E Airspace at Oceana Naval Air

Station, (NAS), VA, due to the Air Traffic Control Tower at Oceana NAS

(Apollo Soucek Field) operating on a part time basis. This action would

enhance the safety and airspace management of Instrument Flight Rules

(IFR) operations at the airport. This action also would update the airport's

geographic coordinates.

DATES: Comments must be received on or before [INSERT DATE 45

DAYS FROM THE DATE OF PUBLICATION IN THE FEDERAL

REGISTER].

ADDRESSES: Send comments on this rule to: U. S. Department of

Transportation, Docket Operations, West Building Ground Floor, Room

W12-140, 1200 New Jersey, SE., Washington, DC 20590-0001; Telephone:

1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number
FAA–2013-0038; Airspace Docket No. 13–AEA–2, at the beginning of your
comments. You may also submit and review received comments through
the Internet at http://www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: John Fornito,
Operations Support Group, Eastern Service Center, Federal Aviation
Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone
(404) 305-6364.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to comment on this rule 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-2013-0038; Airspace Docket No. 13-AEA-2) and be submitted in
triplicate to the Docket Management System (see "ADDRESSES" section
for address and phone number). You may also submit comments through
the Internet at http://www.regulations.gov.

Persons 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 Docket No. FAA-2013-0038; Airspace Docket No. 13-AEA-2." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through http://www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA's web page at

http://www.faa.gov/airports_airtraffic/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 the 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 between 8:30 a.m.

and 5:00 p.m. Monday through Friday, except Federal Holidays at the office of the Eastern Service Center, Federal Aviation Administration, room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory circular No. 11-2A, Notice of Proposed Rulemaking distribution System, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend the hours of operation for Class D airspace and Class E airspace designated as an extension to Class D surface airspace, and establish Class E airspace extending upward from the surface at Oceana NAS (Apollo Soucek Field), VA. The Air Traffic Control Tower at Oceana NAS is transitioning from a full time facility to part time. The geographic coordinates of the airport also would be adjusted to coincide with the FAA's aeronautical database.

Class D airspace and Class E airspace designations are published in Paragraph 5000, 6002 and 6004, respectively, of FAA Order 7400.9W, dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

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

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 proposed 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 proposed regulation is within the scope of that authority as it would amend Class D and Class E airspace at Oceana NAS (Apollo Soucek Field), VA.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

Lists 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 CLASS E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

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

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, signed August 8, 2012, effective September 15, 2012, is amended as follows:

Paragraph 5000 Class D Airspace

*   *   *   *   *

AEA VA D Oceana NAS, VA [Amended]
Oceana NAS (Apollo Soucek Field), VA

(lat. 36°49'22"N., long. 76°01'55"W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of Oceana NAS (Apollo Soucek Field). This Class D airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6002 Class E Airspace Designated as Surface Areas

*   *   *   *   *

AEA VA E2 Oceana NAS, VA [New]
Oceana NAS (Apollo Soucek Field), VA
  (lat. 36°49'22"N., long. 76°01'55"W.)
Navy Oceana TACAN
  (lat. 36°49'27"N., long. 76°02'13"W)
NALF Fentress, VA
  (lat. 36°41'43"N., long. 76°08'08"W.)

That airspace extending upward from the surface within a 4.3-mile radius of Oceana NAS (Apollo Soucek Field), and within 1.8 miles each side of the Navy Oceana TACAN 213° radial extending from the 4.3-mile radius of Oceana NAS (Apollo Soucek Field) to 9.3 miles southwest of the TACAN and within a 2.7-mile radius of NALF Fentress. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

*   *   *   *   *

AEA VA E4 Oceana NAS, VA [Amended]
Oceana NAS (Apollo Soucek Field)
(lat. 36°49'22"N., long. 76°01'55"W.)
Navy Oceana TACAN
(lat. 36°49'27"N., long. 76°02'13"W.)
NALF Fentress, VA
(lat. 36°41'43"N., long. 76°08'08"W.)

That airspace extending upward from the surface within 1.8 miles each side of the Navy Oceana TACAN 213° radial extending from the 4.3-mile radius

of Oceana NAS (Apollo Soucek Field) to 9.3 miles southwest of the TACAN and within a 2.7-mile radius of NALF Fentress. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in College Park, Georgia, on **March 29, 2013**

BARRY A. KNIGHT
Manager, Operations Support Manager
Eastern Service Center, Air Traffic Organization

[FR Doc. 2013-08210 Filed 04/08/2013 at 8:45 am;
Publication Date: 04/09/2013]