

6-mile radius of the Point in Space  
Coordinates (Lat. 40°40'20" N., Long.  
80°05'10" W.) serving the UPMC Passavant-  
Cranberry Heliport.

\* \* \* \* \*

Issued in College Park, Georgia, on January  
30, 2008.

**Barry A. Knight,**

*Acting Manager, System Support Group,  
Eastern Service Center.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA–2008–0050; Airspace  
Docket No. 07–ASO–28]

**RIN 2120–AA66**

#### **Amendment of Using Agencies for Restricted Areas R–5303A, B, C; R– 5304A, B, C; and R–5306A, C, D, E; NC**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the using  
agencies for restricted areas R–5303A, B,  
and C, Camp Lejeune, NC; R–5304A, B,  
and C, Camp Lejeune, NC; and R–  
5306A, C, D, and E, Cherry Point, NC,  
to reflect current organizational  
assignments and geographic  
responsibilities. This is an  
administrative change that does not  
alter the boundaries, designated  
altitudes, time of designation, or  
activities conducted within the  
restricted areas.

**DATES:** *Effective Date:* 0901 UTC, April  
10, 2008.

**FOR FURTHER INFORMATION CONTACT:** Paul  
Gallant, Airspace and Rules Group,  
Office of System Operations Airspace  
and AIM, Federal Aviation  
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#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

At the request of the U.S. Marine  
Corps, the FAA is amending 14 CFR  
part 73 to update the designated using  
agencies for restricted areas R–5303A, B,  
and C; R–5304A, B, and C; and R–  
5306A, C, D, and E in North Carolina.  
This action is the result of  
organizational realignments by the  
Marine Corps.

Section 73.53 of Title 14 CFR part 73  
was republished in FAA Order 7400.8N,  
effective February 16, 2007.

##### **The Rule**

This action amends the names of the  
using agencies for the above restricted  
areas to replace the title “Commanding  
General” with “Commanding Officer,”  
and reflect the current division of  
airspace responsibilities between  
Marine Corps Air Station Cherry Point,  
NC, and Marine Corps Base Camp  
Lejeune, NC. This is an administrative  
change to reflect current organizational  
titles and geographic responsibilities.  
The change does not alter the  
boundaries, designated altitudes, time of  
designation, or activities conducted  
within the restricted areas. Therefore,  
notice and public procedures under 5  
U.S.C. 553(b) are unnecessary.

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. Therefore, this regulation: (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 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.

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 restricted areas in North  
Carolina.

##### **Environmental Review**

The FAA has determined that this  
action qualifies for categorical exclusion  
under the National Environmental  
Policy Act in accordance with 311d.,  
FAA Order 1050.1E, “Environmental  
Impacts: Policies and Procedures.” This  
airspace action is not expected to cause

any potentially significant  
environmental impacts, and no  
extraordinary circumstances exist that  
warrant preparation of an  
environmental assessment.

##### **List of Subjects in 14 CFR Part 73**

Airspace, Prohibited areas, Restricted  
areas.

##### **Adoption of the Amendment**

■ In consideration of the foregoing, the  
Federal Aviation Administration  
amends 14 CFR part 73 as follows:

#### **PART 73—SPECIAL USE AIRSPACE**

■ 1. The authority citation for part 73  
continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113,  
40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–  
1963 Comp., p. 389.

##### **§ 73.53 [Amended]**

■ 2. § 73.53 is amended as follows:

\* \* \* \* \*

##### **R–5303A, R–5303B and R–5303C Camp Lejeune, NC [Amended]**

Under Using agency, by removing the  
words “USMC, Commanding General, U.S.  
Marine Corps Air Station, Cherry Point, NC”  
and inserting the words “USMC,  
Commanding Officer, U.S. Marine Corps Base  
Camp Lejeune, NC.”

\* \* \* \* \*

##### **R–5304A, R–5304B and R–5304C Camp Lejeune, NC [Amended]**

Under Using agency, by removing the  
words “USMC, Commanding General, U.S.  
Marine Corps Air Station, Cherry Point, NC”  
and inserting the words “USMC,  
Commanding Officer, U.S. Marine Corps Base  
Camp Lejeune, NC.”

\* \* \* \* \*

##### **R–5306A and R–5306C Cherry Point, NC [Amended]**

Under Using agency, by removing the  
words “Commanding General, U.S. Marine  
Corps Air Station, Cherry Point, NC” and  
inserting the words “USMC, Commanding  
Officer, U.S. Marine Corps Air Station Cherry  
Point, NC.”

##### **R–5306D and R–5306E Cherry Point, NC [Amended]**

Under Using agency, by removing the  
words “Commanding General, U.S. Marine  
Corps Air Station, Cherry Point, NC” and  
inserting the words “USMC, Commanding  
Officer, U.S. Marine Corps Base Camp  
Lejeune, NC.”

\* \* \* \* \*

Issued in Washington, DC, on February 6,  
2008.

**Ellen Crum,**

*Acting Manager, Airspace and Rules Group.*

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