

(3) A review of airplane maintenance records is acceptable in lieu of the inspection to verify the serial number of the inlet specified in step A.1. of the Work Instructions of Boeing Service Letter 737–SL–71–081–A, Revision A, dated March 3, 2023, if the serial number of the inlet can be conclusively determined from that review.

(4) Where Boeing Service Letter 737–SL–71–081–A, Revision A, dated March 3, 2023, specifies contacting Boeing for repair or further instructions: This AD requires doing the repair and applicable instructions before further flight using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

(5) Where the Work Instructions of Boeing Service Letter 737–SL–71–081–A, Revision A, dated March 3, 2023, refers to the structural repair manual, replace the text “737–8/8200/9 Structural Repair Manual (SRM) 51–40–04, Revision 18/9/15,” with “737–8 Structural Repair Manual (SRM) 51–40–04, Revision 18 or 19; 737–8200 SRM 51–40–04, Revision 9 or 10; or 737–9 SRM 51–40–04, Revision 15 or 16.”

(i) Parts Installation Limitation

As of the effective date of this AD, no person may install an engine inlet assembly with a serial number listed in Attachment I of Boeing Service Letter 737–SL–71–081–A, Revision A, dated March 3, 2023, on any airplane unless all applicable actions required by paragraph (g) of this AD have been done for that inlet.

(j) Credit for Previous Actions

This paragraph provides credit for the actions specified in paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Letter 737–SL–71–081, dated February 20, 2023, provided the conditions specified in paragraphs (j)(1) and (2) of this AD are met.

(1) An inspection or records review has been done to verify the inlet serial number is not included in the additional serial numbers identified in Attachment I of Boeing Service Letter 737–SL–71–081–A, Revision A, dated March 3, 2023; and the serial number of the inlet can be conclusively determined from that inspection or review.

(2) Where the Work Instructions of Boeing Service Letter 737–SL–71–081, dated February 20, 2023, refer to the structural repair manual (SRM) to apply torque, the applicable SRM identified in paragraph (j)(2)(i), (ii), or (iii) of this AD was used to apply the torque.

(i) Boeing 737–8 SRM 51–40–04, Revision 18, dated November 10, 2022; or Revision 19, dated March 10, 2023.

(ii) Boeing 737–8200 SRM 51–40–04, Revision 9, dated November 10, 2022; or Revision 10, dated March 10, 2023.

(iii) Boeing 737–9 SRM 51–40–04, Revision 15, dated November 10, 2022; or Revision 16, dated March 10, 2023.

(k) Special Flight Permit

(1) Special flight permits, as described in 14 CFR 21.197 and 21.199, may be issued to move the airplane to a maintenance facility prior to performing the required inspections.

(2) If, during the inspections required by paragraph (g) of this AD, only one engine is

found with an inlet having any crack or thermal damage: Special flight permits, as described in 14 CFR 21.197 and 21.199, may be issued to operate the airplane to a location where the requirements of this AD can be accomplished provided the conditions specified in paragraph (k)(2)(i) and (ii) of this AD, as applicable, are met.

(i) The EAI is deactivated on the affected engine in accordance with the operator's existing Minimum Equipment List.

(ii) For any inlet with any thermal exposure (*i.e.*, heat damage) on the inner barrel, The Boeing Company Organization Designation Authorization (ODA) is contacted to obtain concurrence for issuance of a special flight permit and The Boeing Company ODA concurs. Operators must comply with any flight limitations provided by The Boeing Company ODA. The concurrence with any limitations must specifically refer to this AD.

(3) If, during the inspections required by paragraph (g) of this AD, both engines are found with inlets having any crack or thermal exposure: Special flight permits, as described in 14 CFR 21.197 and 21.199, are not allowed.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (m) of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company ODA that has been authorized by the Manager, Seattle ACO Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) Except as required by paragraph (h) of this AD: For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (l)(4)(i) and (ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled “RC Exempt,” then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining

approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(m) Related Information

For more information about this AD, contact Samuel Dorsey, Aerospace Engineer, Propulsion Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3415; email: Samuel.j.dorsey@faa.gov.

(n) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Service Letter 737–SL–71–081–A, Revision A, dated March 3, 2023.

Note 1 to paragraph (n)(2)(i): Attachments I and II of this document are dated March 2, 2023.

(ii) [Reserved]

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website myboeingfleet.com.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, fr.inspection@nara.gov, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

Issued on March 17, 2023.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2023–06364 Filed 3–23–23; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–1395 Airspace
Docket No. 22–ACE–10]

RIN 2120–AA66

Amendment of Multiple Air Traffic Service (ATS) Routes and Revocation of a VOR Federal Airway in the Vicinity of Wolbach, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Jet Routes J-10, J-84, J-100, J-128, J-144, and J-197, Very High Frequency (VHF) Omnidirectional Range (VOR) Federal airways V-172 and V-380, and Area Navigation (RNAV) route T-288; and revokes VOR Federal airway V-219. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Wolbach, NE (OBH), VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The Wolbach VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Effective date 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 JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the NPRM, all comments received, this final rule, and all background material may be viewed online at 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 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at 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: Colby Abbott, 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 would

modify the ATS route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2022-1395 in the **Federal Register** (87 FR 71266; November 22, 2022), amending Jet Routes J-10, J-84, J-100, J-128, J-144, and J-197, VOR Federal airways V-172 and V-380, and RNAV route T-288; and revoking VOR Federal airway V-219 due to the planned decommissioning of the VOR portion of the Wolbach VORTAC NAVAID.

Differences From the NPRM

Subsequent to the NPRM publication, the FAA determined one route point listed in the RNAV route T-288 description could be removed without affecting the route's structure or alignment. The FESNT, NE, waypoint (WP) in the T-288 description does not denote a route turn point, does not have established holding requirements, and is not required due to PBN leg length maximum allowable distances being exceeded; therefore, it is not required in the description. This rule removes the FESNT, WP route point from the description of T-288 between the Ainsworth, NE, VOR/Distance Measuring Equipment (VOR/DME) and the ISTIQ, NE, WP route points.

Incorporation by Reference

Jet Routes are published in paragraph 2004, VOR Federal airways are published in paragraph 6010(a), and United States Area Navigation Routes (T-routes) are published in paragraph 6011 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 7400.11G, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G 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 7400.11G 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 Jet Routes J-10, J-84, J-100, J-128, J-144, and J-197, VOR Federal airways V-172 and V-380, and RNAV route T-288; and revoking VOR Federal airway V-219 due to the planned decommissioning of the VOR portion of

the Wolbach, NE, VORTAC. The ATS route actions are described below.

J-10: J-10 extends between the Los Angeles, CA, VORTAC and the Iowa City, IA, VOR/DME. The route segment overlying the Wolbach VORTAC between the North Platte, NE, VOR/DME and the Des Moines, IA, VORTAC is removed. As amended, the route extends between the Los Angeles VORTAC and the North Platte VOR/DME, and between the Des Moines VORTAC and the Iowa City VOR/DME.

J-84: J-84 extends between the Oakland, CA, VOR/DME and the Danville, IL, VORTAC. The route segment overlying the Wolbach VORTAC between the Sidney, NE, VOR/DME and the Dubuque, IA, VORTAC is removed. As amended, the route extends between the Oakland VOR/DME and the Sidney VOR/DME, and between the Dubuque VORTAC and the Danville VORTAC.

J-100: J-100 extends between the Los Angeles, CA, VORTAC and the Northbrook, IL, VORTAC. The route segment overlying the Wolbach VORTAC between the Sidney, NE, VOR/DME and the Dubuque, IA, VORTAC is removed. As amended, the route extends between the Los Angeles VORTAC and the Sidney VOR/DME, and between the Dubuque VORTAC and the Northbrook VORTAC.

J-128: J-128 extends between the Los Angeles, CA, VORTAC and the Northbrook, IL, VORTAC. The route segment overlying the Wolbach VORTAC between the Hayes Center, NE, VORTAC and the Dubuque, IA, VORTAC is removed. As amended, the route extends between the Los Angeles VORTAC and the Hayes Center VORTAC, and between the Dubuque VORTAC and the Northbrook VORTAC.

J-144: J-144 extends between the Wolbach, NE, VORTAC and the Dubuque, IA, VORTAC. The route segment overlying the Wolbach VORTAC between the Wolbach VORTAC and the Des Moines, IA, VORTAC is removed. As amended, the route extends between the Des Moines VORTAC and the Dubuque VORTAC.

J-197: J-197 extends between the Dove Creek, CO, VORTAC and the Sioux Falls, SD, VORTAC. The route segment overlying the Wolbach VORTAC between the Goodland, KS, VORTAC and Sioux Falls, SD, VORTAC is removed. As amended, the route extends between the Dove Creek VORTAC and the Goodland VORTAC.

V-172: V-172 extends between the North Platte, NE, VOR/DME and the DuPage, IL, VOR/DME. The airway segment overlying the Wolbach VORTAC between the North Platte, NE,

VOR/DME and the Columbus, NE, VOR/DME is removed. As amended, the airway extends between the Columbus VOR/DME and the DuPage VOR/DME.

V-219: V-219 extends between the Hayes Center, NE, VORTAC and the Norfolk, NE, VOR/DME. The airway is removed in its entirety.

V-380: V-380 extends between the O'Neill, NE, VORTAC and the Mankato, KS, VORTAC. The airspace within the O'Neill Military Operations Area (MOA) is excluded when the MOA is activated by Notice to Air Missions (NOTAM). The airway segment overlying the Wolbach VORTAC between the O'Neill, NE, VORTAC and the Grand Island, NE, VOR/DME, and the airway exclusion is removed. As amended, the airway extends between the Grand Island VOR/DME and the Mankato VORTAC.

T-288: T-288 currently extends between the Gillette, WY, VOR/DME and the Wolbach, NE, VORTAC. The Wolbach VORTAC route point is replaced by the ISTIQ, NE, WP located 3 nautical miles northwest of the Wolbach VORTAC on RNAV route T-413. Additionally, the Rapid City, SD, VORTAC latitude/longitude geographic coordinates are updated to match the FAA's National Airspace System Resource database information. As amended, the route extends between the Gillette VOR/DME and the ISTIQ, WP.

All NAVAID radials listed in the ATS route descriptions below are unchanged and stated in degrees True north.

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 Jet Routes J-10, J-84, J-100, J-128, J-144, and J-197, VOR Federal airways V-172 and V-380, and RNAV route T-288; and revoking VOR Federal airway V-219, due to the

planned decommissioning of the VOR portion of the Wolbach, NE, VORTAC NAVAID, 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); paragraph 5-6.5(b), which categorically excludes from further environmental impact review actions regarding establishment of jet routes and Federal airways (see 14 CFR 71.15, Designation of jet routes and VOR Federal airways); operation of civil aircraft in a defense area, or to, within, or out of the United States through a designated Air Defense Identification Zone (ADIZ) (14 CFR part 99, Security Control of Air Traffic); authorizations for operation of moored balloons, moored kites, amateur rockets, and unmanned free balloons (see 14 CFR part 101, Moored Balloons, Kites, Amateur Rockets and Unmanned Free Balloons); and, authorizations of parachute jumping and inspection of parachute equipment (see 14 CFR part 105, Parachute Operations); paragraph 5-6.5i, which categorically excludes from further environment impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. For modifications to air traffic procedures at or above 3,000 feet AGL, the Noise Screening Tool (NST) or other FAA-approved environmental screening methodology should be applied; and paragraph 5-6.5k, which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. 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. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

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

Paragraph 2004 Jet Routes.

* * * * *

J-10 [Amended]

From Los Angeles, CA; INT Los Angeles 083° and Twentynine Palms, CA, 269° radials; Twentynine Palms; INT Twentynine Palms 075° and Flagstaff, AZ, 251° radials; Flagstaff; Rattlesnake, NM; Blue Mesa, CO; Falcon, CO; to North Platte, NE. From Des Moines, IA; to Iowa City, IA.

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J-84 [Amended]

From Oakland, CA; Linden, CA; Mina, NV; Delta, UT; Meeker, CO; to Sidney, NE. From Dubuque, IA; Northbrook, IL; to Danville, IL.

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J-100 [Amended]

From Los Angeles, CA; Daggett, CA; Las Vegas, NV; INT of Las Vegas 046° and Bryce Canyon, UT, 240° radials; Bryce Canyon; Meeker, CO; to Sidney, NE. From Dubuque, IA; to Northbrook, IL.

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J-128 [Amended]

From Los Angeles, CA; INT Los Angeles 083° and Peach Springs, AZ, 244° radials;

Peach Springs; Tuba City, AZ; Blue Mesa, CO; Falcon, CO; to Hayes Center, NE. From Dubuque, IA; to Northbrook, IL.

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J-144 [Amended]

From Des Moines, IA; to Dubuque, IA.

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J-197 [Amended]

From Dove Creek, CO; Hugo, CO; to Goodland, KS.

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Paragraph 6010(a) Domestic VOR Federal Airways.

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V-172 [Amended]

From Columbus, NE; Omaha, IA; INT Omaha 066° and Newton, IA, 262° radials; Newton; Cedar Rapids, IA; Polo, IL; INT Polo 088° and DuPage, IL, 293° radials; to DuPage.

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V-219 [Removed]

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V-380 [Amended]

From Grand Island, NE; Hastings, NE; to Mankato, KS.

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Paragraph 6011 United States Area Navigation Routes.

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T-288 GILLETTE, WY (GCC) TO ISTIQ, NE [AMENDED]

Gillette, WY (GCC)	VOR/DME	(Lat. 44°20'51.98" N, long. 105°32'36.55" W)
KARAS, WY	FIX	(Lat. 44°16'22.88" N, long. 104°18'49.64" W)
Rapid City, SD (RAP)	VORTAC	(Lat. 43°58'33.74" N, long. 103°00'44.38" W)
WNDED, SD	WP	(Lat. 43°19'14.00" N, long. 101°32'19.00" W)
Valentine, NE (VTN)	NDB	(Lat. 42°51'41.85" N, long. 100°32'58.73" W)
Ainsworth, NE (ANW)	VOR/DME	(Lat. 42°34'08.81" N, long. 099°59'22.78" W)
ISTIQ, NE	WP	(Lat. 41°24'52.04" N, long. 098°24'18.89" W)

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Issued in Washington, DC, on March 20, 2023.

Brian Konie,

Acting Manager, Airspace Rules and Regulations.

[FR Doc. 2023-06101 Filed 3-24-23; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-1424; Airspace Docket No. 22-AEA-11]

RIN 2120-AA66

Amendment of VOR Federal Airways V-268 and V-474, Revocation of Jet Route J-518 and VOR Federal Airway V-119, and Establishment of Area Navigation Route Q-178 in the Vicinity of Indian Head, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Very High Frequency (VHF) Omnidirectional Range (VOR) Federal airways V-268 and V-474, revokes Jet Route J-518 and VOR Federal airway V-119, and establishes Area Navigation (RNAV) route Q-178. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Indian Head, PA, VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The Indian Head VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program. **DATES:** Effective date 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 JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the NPRM, all comments received, this final rule, and all background material may be viewed online at 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 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at 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: Colby Abbott, 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 would modify the ATS route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2022-1424 in the **Federal Register** (87 FR 72904; November 28, 2022), amending VOR Federal airways V-268 and V-474, revoking Jet Route J-518 and VOR Federal airway V-119, and establishing Area Navigation (RNAV) route Q-178 due to the planned decommissioning of the VOR portion of the Indian Head, PA, VORTAC NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Differences From the NPRM

In the NPRM, the FAA erroneously stated that, although the VOR portion of the Indian Head VORTAC was planned for decommissioning, the co-located Distance Measuring Equipment (DME) would be retained. Instead, the co-located Tactical Air Navigation (TACAN) is being retained to provide navigational service for military operations and DME service in support of current and future Next Generation Air Transportation System Performance Based Navigation procedures. This does not affect the changes to the airways in this rule.

Incorporation by Reference

Jet Routes are published in paragraph 2004, United States Area Navigation Routes (Q-routes) are published in