

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2010-0241; Airspace  
Docket No. 10-AGL-4]

RIN 2120-AA66

**Proposed Modification of VOR Federal  
Airways V-82, V-175, V-191, and  
V-430 in the Vicinity of Bemidji, MN**

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

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

**SUMMARY:** This action proposes to modify the legal description of VHF Omnidirectional Range (VOR) Federal Airways V-82, V-175, V-191, and V-430 in the vicinity of Bemidji, MN. The Bemidji (BJI) VOR, navigation aid that forms a segment of these airways has been out of service for over two years due to terrain and new construction signal interference problems and is planned for decommissioning. An airway intersection reporting point is being established in the same location as the BJI VOR to restore a navigable route structure to the area similar to what existed prior to the loss of service from the navigation aid.

**DATES:** Comments must be received on or before June 21, 2010.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2010-0241 and Airspace Docket No. 10-AGL-4 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

Interested parties are invited to participate in this proposed rulemaking 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-2010-0241 and Airspace Docket No. 10-AGL-4) and be submitted in triplicate to the Docket Management Facility (*see ADDRESSES* section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters 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 FAA Docket No. FAA-2010-0241 and Airspace Docket No. 10-AGL-4." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. 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 through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://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 Office (*see ADDRESSES* section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, Operations Support Group, Federal Aviation Administration, 2601 Meacham Blvd., Fort Worth, TX 76137.

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

**The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to modify V-82, V-175, V-191, and V-430 in the vicinity of Bemidji, MN. The BJI VOR navigation aid, used in each of these airways, has been out of service for over two years due to excessive bends, roughness, and scalloping on all radials below 5,000 feet Mean Sea Level (MSL), and was removed from service in April 2007. The FAA had trees removed within 1,000 feet of the navigation aid, but no improvement was noted. As a result, the BJI VOR, MN, is scheduled for decommissioning on July 29, 2010.

Since V-82, V-175, V-191, and V-430 are currently not useable in the vicinity of the BJI VOR, air traffic control must vector aircraft in this area until the aircraft reaches a useable segment of the airways. To restore the navigable airway structure in the vicinity of Bemidji, MN, the FAA is proposing to establish the BLUOX fix in the same location currently depicting the BJI VOR navigation aid. Specifically, the proposed modification to V-82 and V-175 replaces the BJI VOR with an intersection point defining the BLUOX fix. The proposed modification to V-191 terminates the airway at the Grand Rapids VOR (GPZ), MN, since the modified V-430, as proposed below, would provide service to the same segments of V-191 being eliminated. Lastly, the proposed modification to V-430 reroutes the airway between BLUOX fix and Grand Forks VOR (GFK), ND, over the Thief River Falls VOR (TVF), MN. The reroute is necessary due to the GFK VOR signal not being strong enough to establish the intersection point defining the BLUOX fix between the GFK VOR and the GPZ VOR.

VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9T signed August 27, 2009 and effective September 15, 2009, which is incorporated by reference in 14 CFR 71.1. The VOR Federal Airways listed in this document would be subsequently published 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. Therefore, this proposed 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 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.

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 modifies VOR Federal Airways in the vicinity of Bemidji, MN.

#### Environmental Review

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.

#### 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 part 71 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.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

#### Paragraph 6010(a)—Domestic VOR Federal Airways

\* \* \* \* \*

##### V–82 [Modified]

From Baudette, MN; INT Baudette 194°T (190°M) and Brainerd, MN, 331°T (328°M) radials; Brainerd; Gopher, MN; Farmington, MN; Rochester, MN; Nodine, MN; to Dells, WI.

\* \* \* \* \*

##### V–175 [Modified]

From Malden, MO; Vichy, MO; Hallsville, MO; Macon, MO; Kirksville, MO; Des Moines, IA; Sioux City, IA; Worthington, MN; Redwood Falls, MN; Alexandria, MN; Park Rapids, MN; INT Park Rapids 003°T (359°M) and Roseau, MN, 160°T (155°M) radials; Roseau; to Winnipeg, MB, Canada. The airspace within Canada is excluded.

\* \* \* \* \*

##### V–191 [Modified]

From Troy, IL; Decatur, IL; Roberts, IL; INT Roberts 008°T (006°M) and Joliet, IL, 067°T (065°M) radials; Northbrook, IL; Badger, WI; Oshkosh, WI; Rhinelander, WI; Ironwood, MI; Duluth, MN; Hibbing, MN; to Grand Rapids, MN.

\* \* \* \* \*

##### V–430 [Modified]

From Cut Bank, MT, 10 miles, 74 miles 55 MSL; Harve, MT, 14 miles, 100 miles 50 MSL; Glasgow, MT; INT Glasgow 100°T (086°M) and Williston, ND, 263°T (251°M) radials, 22 miles, 33 miles 55 MSL, Williston; Minot, ND; Devils Lake, ND; Grand Forks, ND; Thief River Falls, MN; INT Thief River Falls 122°T (114°M) and Grand Rapids, MN, 292°T (286°M) radials; Grand Rapids; Duluth, MN; Ironwood, MI; Iron Mountain, MN; to Escanaba, MI.

Issued in Washington, DC, on April 29, 2010.

**Paul Gallant,**

*Acting Manager, Airspace and Rules Group.*

[FR Doc. 2010–10468 Filed 5–4–10; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1904

[Docket No. OSHA–2010–0024]

#### Modernization of OSHA's Injury and Illness Data Collection Process

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor

**ACTION:** Stakeholder meetings and request for public comment.

**SUMMARY:** OSHA invites interested parties to participate in informal stakeholder meetings on the modernization of OSHA's injury and

illness data collection system. OSHA encourages stakeholders who cannot participate to submit written comments. OSHA needs to gather information from stakeholders in order to be able to modify its current injury and illness recordkeeping regulation and develop a modernized recordkeeping system in ways that will help OSHA, employers, employees, researchers, and the public prevent workplace injuries and illnesses as well as, supporting President Obama's Open Government Initiative, increase the ability of the public to easily find, download, and use the resulting dataset generated and held by the Federal Government. The informal discussions at the stakeholder meetings and the written comments from stakeholders will help give OSHA this information.

**DATES:** The meeting dates are:

- May 25, 2010, 8:30 a.m. to 4:30 p.m., Washington, DC.
- June 3, 2010, 8:30 a.m. to 4:30 p.m., Chicago, IL.

Written comments must be submitted (postmarked, sent, or received) by June 18, 2010.

**ADDRESSES:**

#### I. Registration

Submit your notice of intent to participate in one of the scheduled meetings by one of the following:

- *Electronic.* Register at: <https://www2.ergweb.com/projects/conferences/osha/register-datacollection.htm> (follow the instructions online).

- *Facsimile.* Fax your request to: 781–674–2906 and label it "Attention: OSHA Data Collection Process Stakeholder Meeting Registration."

- *Regular mail, express delivery, hand (courier) delivery, and messenger service.* Send your request to: Eastern Research Group, Inc., 110 Hartwell Avenue, Lexington, MA 02421; Attention OSHA Data Collection Process Stakeholder Meeting Registration.

#### II. Meetings

In Washington, DC, the meeting will be held on May 25, 2010, from 8:30 a.m. to 4:30 p.m., at the U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210.

In Chicago, Illinois, the meeting will be held on June 3, 2010, from 8:30 a.m. to 4:30 p.m., at the OSHA Training Institute, 2020 South Arlington Heights Rd., Arlington Heights, IL 60005.

#### III. Public Comment

You may submit comments, identified by Docket No. OSHA–2010–0024, by any one of the following methods: