

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

[Docket No. FAA–2012–0155; **Airspace**  
Docket No. 12–ASW–1]

**Establishment of Class E Airspace;  
West Memphis, AR**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at West Memphis, AR. Separation of existing Class E airspace surrounding West Memphis Municipal Airport from the Class E airspace of Memphis International Airport, Memphis, TN, has made this action necessary to enhance the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** *Effective date:* 0901 UTC, September 20, 2012. 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 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone 817–321–7716.

**SUPPLEMENTARY INFORMATION:****History**

On March 26, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish Class E airspace for the West Memphis, AR, area, creating controlled airspace at West Memphis Municipal Airport (77 FR 17363) Docket No. FAA–2012–0155. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace extending upward from 700 feet above the surface

at West Memphis, AR, to accommodate the separation of existing Class E airspace surrounding West Memphis Municipal Airport from the Class E airspace area of Memphis International Airport, Memphis, TN. The amendment for the existing Class E airspace surrounding Memphis International Airport, Memphis, TN, is simultaneously coordinated with this action. Controlled airspace is needed for the safety and management of IFR operations at the airport.

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 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 U.S. Code. Subtitle 1, 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 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 establishes controlled airspace at West Memphis Municipal Airport, West Memphis, AR.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. 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 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of 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(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 Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface.*

\* \* \* \* \*

**ASW AR E5 West Memphis, AR [New]**

West Memphis Municipal Airport, AR  
(Lat. 35°08'06" N., long. 90°14'04" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of West Memphis Municipal Airport.

Issued in Fort Worth, Texas, on June 13, 2012.

**David P. Medina,**

*Manager, Operations Support Group, ATO  
Central Service Center.*

[FR Doc. 2012–17362 Filed 7–18–12; 8:45 am]

**BILLING CODE 4910–13–P**

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

[Docket No. FAA–2012–0301; **Airspace**  
Docket No. 12–AEA–3]

**Revocation of Class E Airspace;  
Lloydsville, PA, and Amendment of  
Class D and E Airspace; Latrobe, PA**

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

**ACTION:** Final rule.

**SUMMARY:** This action removes Class E airspace listed at Lloydsville, PA, for Latrobe Hospital Heliport (old name), and incorporates Excelsa Health Latrobe Hospital Heliport (new name) onto Class

E airspace at Latrobe, PA. Also, this action amends Class D and E airspace at Latrobe, PA, as new Standard Instrument Approach Procedures have been developed at Arnold Palmer Regional Airport. The geographic coordinates for both the heliport and the airport are updated. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations in the Latrobe, PA, area. This action also recognizes the airport name change to Arnold Palmer Regional Airport.

**DATES:** Effective 0901 UTC, September 20, 2012. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**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:**

**History**

On May 11, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking to remove Class E airspace in the Lloydsville, PA, and amend Class D and E airspace in Latrobe, PA (77 FR 27667). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class D and E airspace designations are published in Paragraphs 5000, 6004, and 6005, respectively, of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designation listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 removes Class E airspace extending upward from 700 feet above the surface in Lloydsville, PA, for Latrobe Hospital Heliport, and incorporate Excelsa Health Latrobe Hospital Heliport, formerly Latrobe Hospital Heliport, into existing Class E airspace extending upward from 700 feet above the surface, at Latrobe, PA. Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface are amended to support new standard instrument approach procedures at Arnold Palmer Regional Airport,

Latrobe, PA, formerly Westmoreland County Airport. The geographic coordinates for the heliport and the airport are adjusted to coincide with the FAA's aeronautical database.

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, is non-controversial and unlikely to result in adverse or negative comments. 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 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 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 removes controlled airspace in Lloydsville, PA and amends controlled airspace in Latrobe, PA.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. 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.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**Adoption of 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 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 Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

\* \* \* \* \*

*Paragraph 5000 Class D airspace.*

**AEA PA D Latrobe, PA [Amended]**

Arnold Palmer Regional Airport, Latrobe, PA (Lat. 40°16'29" N., long. 79°24'24" W.)

That airspace extending upward from the surface to and including 3,700 feet MSL within a 5-mile radius of Arnold Palmer Regional Airport. This Class D airspace area is effective during the 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 PA E4 Latrobe, PA [Amended]**

Arnold Palmer Regional Airport, Latrobe, PA (Lat. 40°16'2" N., long. 79°24'24" W.)

That airspace extending upward from the surface of Arnold Palmer Regional Airport within the 045° bearing from the airport clockwise to the 210° bearing, extending from the 5-mile radius of the airport to 10 miles southwest. This Class E airspace area shall be effective during the 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 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**AEA PA E5 Lloydsville, PA [Removed]**

**AEA PA E5 Latrobe, PA [Amended]**

Arnold Palmer Regional Airport, Latrobe, PA (Lat. 40°16'29" N., long. 79°24'24" W.)  
Excelsa Health Latrobe Hospital Heliport (Lat. 40°19'13" N., long. 79°23'37" W.)

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Arnold Palmer Regional Airport, and within a 6-mile radius of Excelsa Health Latrobe Hospital Heliport.

Issued in College Park, Georgia, on July 9, 2012.

**Barry A. Knight,**

*Manager, Operations Support Group Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2012-17469 Filed 7-18-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2012-0601]

#### Drawbridge Operation Regulations; Niantic River, Niantic, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Amtrak Railroad Bridge across the Niantic River, mile 0.0, at Niantic, Connecticut. The deviation allows the bridge to remain in the closed position for a 48 hour period and for periodic overnight closures to facilitate pier alignment and completion of work on machinery and the lift span.

**DATES:** This deviation is effective from 9 p.m. on July 15, 2012 through 6 a.m. on August 22, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2012-0601 and are available online at [www.regulations.gov](http://www.regulations.gov), inserting USCG-2012-0601 in the "Keyword" and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 668-7165, email [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Amtrak Railroad Bridge, across the Niantic River, mile 0.0, at Niantic, Connecticut, has a vertical clearance in the closed position of 16 feet at mean high water. The drawbridge operation regulations are listed at 33 CFR 117.215(a).

The waterway users are recreational vessels and seasonal fishing boats.

The operator of the bridge, National Passenger Railroad Corporation (Amtrak), requested a temporary deviation from the regulations to facilitate pier alignment and completion of machinery installation at the new Niantic River RR Bridge.

The Coast Guard previously issued a temporary deviation to Amtrak dated May 2, 2012, USCG-2012-0305, to allow the bridge to remain in the closed position during the hours of 11 p.m. until 6 a.m., Monday through Thursday, beginning May 15, 2012 until August 15, 2012 in order to facilitate completion of machinery installation and lift span work at the new railroad bridge. However, in May 2012, the contractor discovered a minor shift in the bascule pier, causing a misalignment of the new bridge.

Until the pier alignment problem is resolved, the work anticipated to be completed during the closures authorized under the May 2, 2012 temporary deviation cannot be done.

In order to complete all the remaining work and correct the pier alignment problem a 48 hour bridge closure from 9 p.m. July 15 to 9 p.m. July 17, 2012 was determined to be necessary and the best time to conduct work in order to bring the bridge into proper alignment. Once the alignment is completed machinery installation and lift span work may continue.

This scenario was presented to the Amtrak Annual Boaters Meeting on June 7, 2012. The waterway users and Sector Long Island Sound have all concurred with the bridge closure period as the optimal time for the closure so that completion of the bridge replacement project is not impacted. Additionally, periodic overnight closures with the possibility of two openings after advance notice was agreed upon.

Under this temporary deviation the Amtrak Railroad Bridge may remain in the closed position from 9 p.m. on July 15, 2012 through 9 p.m. on July 17, 2012. In addition, the bridge may remain in the closed position during the hours of 10 p.m. until 6 a.m., Sunday through Wednesday, each week beginning July 22, 2012 until August 22, 2012 except that openings will be granted at midnight and 4:30 a.m. with a 2 hour advance notice. This schedule

will be published in the Local Notice to Mariners, and via broadcast notice to mariners as necessary.

Vessels that can pass under the bridge in the closed position may do so at all times.

The waterway users were advised of the requested bridge closure and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time periods. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 9, 2012.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2012-17579 Filed 7-18-12; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2012-0305]

#### Drawbridge Operation Regulations; Niantic River, Niantic, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice canceling temporary deviation from regulations.

**SUMMARY:** The Coast Guard is canceling the temporary deviation published on May 2, 2012 (77 FR 25889) concerning the operation of the Amtrak Railroad Bridge across the Niantic River, mile 0.0, at Niantic, Connecticut.

**DATES:** The temporary deviation published on May 2, 2012 (77 FR 25889) is cancelled as of July 14, 2012.

**ADDRESSES:** The docket for this cancelled deviation is available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG-2012-0305 in the "Keyword" box and then clicking "Search".

**FOR FURTHER INFORMATION CONTACT:** Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 668-7165, email [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil).

**SUPPLEMENTARY INFORMATION:**