

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2016-6900; Directorate Identifier 2016-NM-064-AD; Amendment 39-18559; AD 2016-12-10]

RIN 2120-AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are superseding Airworthiness Directive (AD) 2016-09-07 for all Airbus Model A318, A319, A320, and A321 series airplanes. AD 2016-09-07 required replacing certain pitot probes on the captain, first officer, and standby sides. This new AD retains those requirements, but with a revised compliance time. Since we issued AD 2016-09-07, we received additional reports of airspeed indication discrepancies during flight at high altitudes in inclement weather. We are issuing this AD to prevent airspeed indication discrepancies caused by accumulation of ice crystals during inclement weather, which, depending on the prevailing altitude, could lead to reduced controllability of the airplane.

DATES: This AD is effective June 29, 2016.

The Director of the **Federal Register** approved the incorporation by reference of certain publications listed in this AD as of June 10, 2016 (81 FR 27298, May 6, 2016).

We must receive comments on this AD by July 29, 2016.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- **Hand Delivery:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact Airbus,

Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone: +33 5 61 93 36 96; fax: +33 5 61 93 44 51; email: account.airworth-eas@airbus.com; Internet: <http://www.airbus.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6900.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6900; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone: 425-227-1405; fax: 425-227-1149.

SUPPLEMENTARY INFORMATION:**Discussion**

On April 20, 2016, we issued AD 2016-09-07, Amendment 39-18505 (81 FR 27298, May 6, 2016) (“AD 2016-09-07”), for all Airbus Model A318, A319, A320, and A321 series airplanes. AD 2016-09-07 was prompted by reports of airspeed indication discrepancies during flight at high altitudes in inclement weather. AD 2016-09-07 required replacing certain pitot probes on the captain, first officer, and standby sides with certain new pitot probes. We issued AD 2016-09-07 to prevent airspeed indication discrepancies caused by accumulation of ice crystals during inclement weather, which, depending on the prevailing altitude, could lead to reduced controllability of the airplane.

Since we issued AD 2016-09-07, we have received additional reports of airspeed indication discrepancies during flight at high altitudes in inclement weather. Certain pitot probes are susceptible to adverse environmental conditions and have a high tendency to accumulate ice crystals

resulting in airspeed indication discrepancies, which could result in reduced controllability of the airplane.

As we explained in AD 2016-09-07, the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, issued EASA Airworthiness Directive 2015-0205, dated October 9, 2015 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus Model A318, A319, A320, and A321 series airplanes. The MCAI states:

Occurrences were reported on A320 family aeroplanes of airspeed indication discrepancies while flying at high altitudes in inclement weather conditions. Investigation results indicated that A320 aeroplanes equipped with Thales Avionics Part Number (P/N) 50620-10 or P/N C16195AA pitot probes appear to have a greater susceptibility to adverse environmental conditions than aeroplanes equipped with certain other pitot probes.

Prompted by earlier occurrences, DGAC [Direction Générale de l’Aviation Civile] France issued [DGAC] AD 2001-362 [<http://ad.easa.europa.eu/ad/F-2001-362>] [which corresponds to paragraph (f) of FAA AD 2004-03-33, Amendment 39-13477 (69 FR 9936, March 3, 2004)] to require replacement of Thales (formerly known as Sextant) P/N 50620-10 pitot probes with Thales P/N C16195AA probes.

Since that [DGAC] AD was issued, Thales pitot probe P/N C15195BA was designed, which improved airspeed indication behavior in heavy rain conditions, but did not demonstrate the same level of robustness to withstand high-altitude ice crystals. Based on these findings, EASA decided to implement replacement of the affected Thales [pitot] probes as a precautionary measure to improve the safety level of the affected aeroplanes.

Consequently, EASA issued AD 2014-0237 (later revised) [http://ad.easa.europa.eu/blob/easa_ad_2014_0237.pdf]/AD_2014-0237, retaining the requirements of DGAC France AD 2001-362, which was superseded, and cancelling two other [DGAC] ADs, to require replacement of Thales Avionics pitot probes P/N C16195AA and P/N C16195BA.

Since EASA AD 2014-0237R1 [<http://ad.easa.europa.eu/ad/2014-0237R1>] was issued, results of further analyses have determined that the compliance time (48 months) of that AD has to be reduced in relation to the risk assessment.

For the reasons described above, this [EASA] AD retains the requirements of EASA AD 2014-0237R1, which is superseded, but reduces the compliance time [24 months].

You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6900.

Related Service Information Under 1 CFR Part 51

Airbus has issued the following service information:

- Airbus Service Bulletin A320-34-1170, Revision 30, dated June 18, 2015.
- Airbus Service Bulletin A320-34-1456, Revision 01, dated May 15, 2012.
- Airbus Service Bulletin A320-34-1463, Revision 01, dated May 15, 2012.

The service information describes procedures for replacing certain Thales pitot probes on the captain, first officer, and standby sides. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA’s Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Explanation of Compliance Time

We have reduced the compliance time in this AD for the pitot probe replacement because of the new reports

of airspeed indication discrepancies during flight at high altitudes in inclement weather. The MCAI requires replacement within 2 years after the effective date of the original MCAI 2014-0237 (November 12, 2014). Both EASA and Airbus recommend the pitot probe replacement in accordance with the MCAI requirement. Based on new reports of airspeed indication discrepancies, our risk assessment considered the overall risk to the fleet, including the severity of the failure and the likelihood of the failure’s occurrence. In support of the MCAI compliance requirement and Airbus recommendation, we have therefore concluded that the pitot probes must be replaced by November 12, 2016. That compliance time corresponds to the date specified by the MCAI and represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety. In conjunction with the manufacturer, we have determined that the new compliance time will accommodate the time necessary to ensure the availability of required parts.

FAA’s Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because airspeed indication discrepancies caused by accumulation of ice crystals during inclement weather, which, depending on the

prevailing altitude, could lead to reduced controllability of the airplane. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2016-6900; Directorate Identifier 2016-NM-064-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

Costs of Compliance

We estimate that this AD affects 953 airplanes of U.S. registry. We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Pitot probe replacement (retained actions from AD 2016-09-07).	4 work-hours × \$85 per hour = \$340	\$21,930	\$22,270	\$21,223,310

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures

the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2016–09–07, Amendment 39–18505 (81 FR 27298, May 6, 2016), and adding the following new AD:

2016–12–10 Airbus: Amendment 39–18559. Docket No. FAA–2016–6900; Directorate Identifier 2016–NM–064–AD.

(a) Effective Date

This AD is effective June 29, 2016.

(b) Affected ADs

(1) This AD replaces AD 2016–09–07, Amendment 39–18505 (81 FR 27298, May 6, 2016) (“AD 2016–09–07”).

(2) This AD affects AD 2004–03–33, Amendment 39–13477 (69 FR 9936, March 3, 2004) (“AD 2004–03–33”).

(c) Applicability

This AD applies to the airplanes identified in paragraphs (c)(1), (c)(2), (c)(3), and (c)(4) of this AD, certificated in any category, all manufacturer serial numbers.

(1) Airbus Model A318–111, –112, –121, and –122 airplanes.

(2) Airbus Model A319–111, –112, –113, –114, –115, –131, –132, and –133 airplanes.

(3) Airbus Model A320–211, –212, –214, –231, –232, and –233 airplanes.

(4) Airbus Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 34, Navigation.

(e) Reason

This AD was prompted by reports of airspeed indication discrepancies during flight at high altitudes in inclement weather. We are issuing this AD to prevent airspeed indication discrepancies caused by accumulation of ice crystals during inclement weather, which, depending on the prevailing altitude, could lead to reduced controllability of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Pitot Probe Replacement

On or before November 12, 2016: Replace any Thales pitot probe having part number (P/N) C16195AA or P/N C16195BA with a Goodrich pitot probe having P/N 0851HL, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–34–1170, Revision 30, dated June 18, 2015. The replacement in this paragraph terminates the requirements of paragraph (f) of AD 2004–03–33 for that airplane only.

(h) Other Acceptable Compliance

(1) Replacement of the pitot probes in accordance with the Accomplishment Instructions of both Airbus Service Bulletin A320–34–1456, Revision 01, dated May 15, 2012 (pitot probes on the captain and standby sides); and Airbus Service Bulletin A320–34–1463, Revision 01, dated May 15, 2012 (pitot probes on the first officer side); is an acceptable method of compliance for the requirements of paragraph (g) of this AD.

(2) Airplanes on which Airbus Modification 25578 was embodied in production, except for post-modification 25578 airplanes on which Airbus Modification 155737 (installation of Thales pitot probes) was also embodied in production, are compliant with the requirements of paragraph (g) of this AD, provided it can be conclusively determined that no Thales pitot probe having P/N C16195AA, P/N C16195BA, or P/N 50620–10 has been installed since the date of issuance of the original certificate of airworthiness or the date of issuance of the original export certificate of airworthiness. Post-modification-25578 airplanes on which Airbus Modification 155737 (installation of Thales pitot probes) was also embodied in production must be in compliance with the requirements of paragraph (g) of this AD.

(i) Credit for Previous Actions

(1) This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before June 10, 2016 (the effective date of AD 2016–09–07), using service information identified in paragraphs (i)(1)(i) through (i)(1)(xxvi) of this AD. This service information is not incorporated by reference in this AD.

(i) Airbus Service Bulletin A320–34–1170, Revision 04, dated May 24, 2000.

(ii) Airbus Service Bulletin A320–34–1170, Revision 05, dated September 11, 2000.

(iii) Airbus Service Bulletin A320–34–1170, Revision 06, dated October 18, 2001.

(iv) Airbus Service Bulletin A320–34–1170, Revision 07, dated December 4, 2001.

(v) Airbus Service Bulletin A320–34–1170, Revision 08, dated January 15, 2003.

(vi) Airbus Service Bulletin A320–34–1170, Revision 09, dated February 17, 2003.

(vii) Airbus Service Bulletin A320–34–1170, Revision 10, dated November 21, 2003.

(viii) Airbus Service Bulletin A320–34–1170, Revision 11, dated August 18, 2004.

(ix) Airbus Service Bulletin A320–34–1170, Revision 12, dated December 2, 2004.

(x) Airbus Service Bulletin A320–34–1170, Revision 13, dated January 18, 2005.

(xi) Airbus Service Bulletin A320–34–1170, Revision 14, dated April 21, 2005.

(xii) Airbus Service Bulletin A320–34–1170, Revision 15, dated July 19, 2005.

(xiii) Airbus Service Bulletin A320–34–1170, Revision 16, dated November 23, 2006.

(xiv) Airbus Service Bulletin A320–34–1170, Revision 17, dated February 14, 2007.

(xv) Airbus Service Bulletin A320–34–1170, Revision 18, dated October 9, 2009.

(xvi) Airbus Service Bulletin A320–34–1170, Revision 19, dated November 9, 2009.

(xvii) Airbus Service Bulletin A320–34–1170, Revision 20, dated December 1, 2010.

(xviii) Airbus Service Bulletin A320–34–1170, Revision 21, dated March 24, 2011.

(xix) Airbus Service Bulletin A320–34–1170, Revision 22, dated July 19, 2011.

(xx) Airbus Service Bulletin A320–34–1170, Revision 23, dated February 3, 2012.

(xxi) Airbus Service Bulletin A320–34–1170, Revision 24, dated April 12, 2012.

(xxii) Airbus Service Bulletin A320–34–1170, Revision 25, dated September 4, 2012.

(xxiii) Airbus Service Bulletin A320–34–1170, Revision 26, dated September 16, 2013.

(xxiv) Airbus Service Bulletin A320–34–1170, Revision 27, dated March 18, 2014.

(xxv) Airbus Service Bulletin A320–34–1170, Revision 28, dated September 1, 2014.

(xxvi) Airbus Service Bulletin A320–34–1170, Revision 29, dated February 16, 2015.

(2) This paragraph provides credit for the replacement of pitot probes on the captain and standby sides specified in paragraph (h)(1) of this AD, if the replacement was performed before June 10, 2016 (the effective date of AD 2016–09–07), using Airbus Service Bulletin A320–34–1456, dated December 2, 2009, which is not incorporated by reference in this AD.

(3) This paragraph provides credit for the replacement of pitot probes on the first officer side as specified in paragraph (h)(1) of this AD, if those actions were performed before June 10, 2016 (the effective date of AD 2016–09–07), using Airbus Service Bulletin A320–34–1463, dated March 9, 2010, which is not incorporated by reference in this AD.

(j) Parts Installation Limitations

(1) At the applicable time specified in paragraph (j)(1)(i) or (j)(1)(ii) of this AD: No person may install on any airplane a Thales pitot probe having P/N C16195AA or P/N C16195BA.

(i) For airplanes with a Thales pitot probe having P/N C16195AA or P/N C16195BA installed: After replacement with BF Goodrich pitot probe P/N 0851HL.

(ii) For airplanes without a Thales pitot probe having P/N C16195AA or P/N C16195BA installed: As of June 10, 2016 (the effective date of AD 2016–09–07).

(2) As of June 10, 2016 (the effective date of AD 2016–09–07), no person may install on any airplane a Thales pitot probe having P/N 50620–10.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 local

Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone: 425-227-1405; fax: 425-227-1149. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified 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 procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(I) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2015-0205, dated October 9, 2015, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6900.

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (m)(4) and (m)(5) of this AD.

(m) 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 this AD specifies otherwise.

(3) The following service information was approved for IBR on June 10, 2016 (81 FR 27298).

- (i) Airbus Service Bulletin A320-34-1170, Revision 30, dated June 18, 2015.
- (ii) Airbus Service Bulletin A320-34-1456, Revision 01, dated May 15, 2012.
- (iii) Airbus Service Bulletin A320-34-1463, Revision 01, dated May 15, 2012.

(4) For service information identified in this AD, contact Airbus, Airworthiness Office—ELAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone: +33 5 61 93 36 96; fax: +33 5 61 93 44 51; email: account.airworth-eas@airbus.com; Internet: <http://www.airbus.com>.

(5) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(6) 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, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on June 2, 2016.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2016-13857 Filed 6-13-16; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2016-5573; Airspace Docket No. 16-ASO-7]

RIN 2120-AA66

Modification of VOR Federal Airway V-552; Mississippi

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies VOR Federal airway V-552 by amending the route description to exclude the airspace within restricted area R-4403F, Stennis Space Center, MS, during periods when the restricted area is in use.

DATES: Effective date 0901 UTC, September 15, 2016. 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.

ADDRESSES: FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783. The Order is

also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.9Z at NARA, call (202) 741-6030, or go to http://www.archives.gov/federal-register/code_of_federal-regulations/ibr_locations.html.

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace Policy Group, Office of Airspace Services, 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 modifies the air traffic service route.

History

VOR Federal airway V-552 extends between Beaumont, TX, and Monroeville, AL. In that segment of the airway between the Picayune, MS, VOR/DME and the CAESA, MS, navigation fix, restricted area R-4403F infringes on the 4 nautical mile (NM) wide protected airspace on the south side of the airway. The northernmost point of R-4403F is approximately 3.73 NM from the centerline of the airway instead of the required 4 NM clearance. R-4403F is subject to intermittent use by Notice to Airmen (NOTAM) issued at least 24 hours in advance. This action amends the V-552 airway description to exclude the airspace in R-4403F from the airway while the restricted area is activated.

VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9Z dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document will be subsequently amended in the Order.