

from a manufacturer, the instructions must be accomplished using a method approved by the Manager, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC)*: Except as required by paragraph (j)(2) of this AD, 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.

(k) Related Information

For more information about this AD, contact Dan Rodina, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3225; email dan.rodina@faa.gov.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference 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.

(i) European Union Aviation Safety Agency (EASA) AD 2021-0134, dated June 1, 2021.

(ii) [Reserved]

(3) For EASA AD 2021-0134, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; internet www.easa.europa.eu. You may find this EASA AD on the EASA website at <https://www.easa.europa.eu>.

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

Issued on April 4, 2022.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-1030; Airspace Docket No. 21-ASW-10]

RIN 2120-AA66

Amendment of VOR Federal Airways V-47, V-54, V-69, V-94, V-140, V-278, V-305, and Revocation of V-397; Southeastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends VHF Omnidirectional Range (VOR) Federal airways V-47, V-54, V-140, V-278, V-305, and removes V-397, in association with the Graceland VOR Minimum Operational Network (MON) project in the southeastern United States. This action is necessary due to the planned decommissioning of the following ground-based navigation aids: Dyersburg, TN, (DYR) VOR Tactical Air Navigation (VORTAC); Malden, MO, (MAW) VORTAC; Monticello, AR, (MON) VOR/Distance Measuring Equipment (VOR/DME); and the Muscle Shoals, AL, (MSL) VORTAC. VOR Federal airways V-69 and V-94 are removed from this docket action for further planning and coordination.

DATES: Effective date 0901 UTC, July 14, 2022. 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 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/.

For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, 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 route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System (NAS).

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2021-1030 in the **Federal Register** (86 FR 70776; December 13, 2021), amending seven VOR Federal airways and removing one airway in the southeastern United States. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Differences From the NPRM

VOR Federal airways V-69 and V-94 are removed from this docket action for further planning and coordination. They will be addressed in a subsequent docket action at a later date.

This rule includes changes to VOR Federal airways V-140, V-278, and V-305 to enable ongoing review by the Department of Defense. So as to avoid the premature removal of route segments, the three airways are being revised to implement only those structural changes necessary due to the scheduled decommissioning of the Dyersburg, TN (DYR) VORTAC; Malden, MO (MAW) VORTAC; Monticello, AR (MON) VOR/DME; and the Muscle Shoals, AL (MSL) VORTAC.

As described below, V-140 is amended to retain the Walnut Ridge, AR (ARG) VORTAC. A separate docket action removed the Kingfisher, OK (IFI) VORTAC from the route. V-278 is amended to retain the segments between

the Greenville, MS (GLH) VOR/DME, and the Vulcan, AL (VUZ) VORTAC. V-305 is amended to retain the segments between the Little Rock AR, (LIT) VORTAC and the Walnut Ridge, AR (ARG) VORTAC.

For clarification, V-47, V-54, and V-397 will remain as proposed in the NPRM.

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order JO 7400.11F, dated August 10, 2021 and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document will be subsequently published in, or removed from FAA Order JO 7400.11.

The Rule

The FAA is amending 14 CFR part 71 to amend VOR Federal airways V-47, V-54, V-140, V-278, V-305, and to remove V-397, in support of the FAA's VOR MON program. The route changes are described below.

V-47: V-47 currently consists of two separate parts: From Pine Bluff, AR, to Pocket City, IN; and From Cincinnati, KY, to Flag City, OH. The FAA is removing the segments from Pine Bluff, AR, to Dyersburg, TN. Therefore, the first part of V-47 extends from Cunningham, KY, to Pocket City, IN. The second part of the route extends from Cincinnati, KY to Flag City, OH, as currently charted.

V-54: V-54 currently consists of two separate parts: From Waco, TX, to Cedar Creek, TX; and From Texarkana, AR, to Kinston, NC. The FAA is removing the segments from Marvell, AR, to Charlotte, NC. This change configures V-54 into three parts: From Waco, TX, to Cedar Creek, TX; From Texarkana, AR, to Little Rock, AR; and From Sandhills, NC, to Kinston, NC.

V-140: V-140 currently consists of two parts: From Panhandle, TX, to London, KY; and from Bluefield, WV, to Casanova, VA. The NPRM proposed removing the Walnut Ridge, AR, Dyersburg, TN, and Hazard, KY, navigation aids from V-140. A separate docket action removed the Kingfisher, OK, (IFI) VORTAC from the route. This rule retains the Walnut Ridge VORTAC as part of V-140. As a result, V-140 consists of the following four parts: From Panhandle, TX, to Burns Flat, OK; From Tulsa, OK, to Walnut Ridge, AR; From Nashville, TN, to London, KY; and From Bluefield, WV, to Casanova, VA

V-278: V-278 currently consists of two parts: From Texico, NM, to Plainview, TX; and from Bowie, TX, to Vulcan, AL. The NPRM proposed to remove the segments from Monticello, AR, to Vulcan, AL. This rule removes

Monticello, AR from the route, but retains the segments from Greenville, MS to Vulcan, AL. The first part of V-278 (from Texico to Plainview) remains unchanged. The second part of the route is amended as follows: From Bowie, TX; Bonham, TX; Paris, TX; Texarkana, AR; to INT Texarkana 088° and Eldorado, AR 034° radials; From Greenville, MS; Sidon, MS; Bigbee, MS; to Vulcan, AL.

V-305: V-305 currently extends from El Dorado, AR, to Kokomo, IN. The NPRM proposed to remove Walnut Ridge, AR, and Malden, MO, from the route. This rule removes Malden, MO, but retains the segments from Little Rock, AR, to Walnut Ridge, AR. As amended, V-305 consists of two separate parts: From Eldorado, AR, to Walnut Ridge, AR; and From Cunningham, KY, to Kokomo, IN.

V-397: V-397 currently extends from Monroe, LA, to Marvell, AR. The FAA is removing the entire route.

Full route descriptions of the above routes are listed in "The Amendment" section of this rule.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

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 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 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 five VOR Federal airways, and removing one airway, in the southeastern United States 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); and paragraph 5-6.5b, 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*) . . .". As such, this action is not expected to cause 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 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 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 7400.11F Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V-47 [Amended]

From Cunningham, KY; to Pocket City, IN. From Cincinnati, KY; Rosewood, OH; to Flag City, OH.

* * * * *

V-54 [Amended]

From Waco, TX; to Cedar Creek, TX. From Texarkana, AR; INT Texarkana 052° and

Little Rock, AR, 235° radials; to Little Rock. From Sandhills, NC; INT Sandhills 146° and Fayetteville, NC, 267° radials; Fayetteville; to Kinston, NC.

* * * * *

V-140 [Amended]

From Panhandle, TX; to Burns Flat, OK. From Tulsa, OK; Razorback, AR; Harrison, AR; to Walnut Ridge, AR; From Nashville, TN; Livingston, TN; to London, KY. From Bluefield, WV; INT Bluefield 071° and Montebello, VA, 250° radials; Montebello; to Casanova, VA.

* * * * *

V-278 [Amended]

From Texico, NM; to Plainview, TX. From Bowie, TX; Bonham, TX; Paris, TX; Texarkana, AR; to INT Texarkana 088° and El Dorado, AR 034° radials; From Greenville, MS; Sidon, MS; Bigbee, MS; to Vulcan, AL.

* * * * *

V-305 [Amended]

From El Dorado, AR; Little Rock, AR; to Walnut Ridge, AR; From Cunningham, KY; Pocket City, IN; INT Pocket City 046° and Hoosier, IN, 205° radials; Hoosier; INT Hoosier 025° and Brickyard, IN, 185° radials; Brickyard; INT Brickyard 038° and Kokomo, IN, 182° radials; to Kokomo.

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V-397 [Removed]

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Issued in Washington, DC, on May 3, 2022.

Scott M. Rosenbloom,

Manager, Airspace Rules and Regulations.

[FR Doc. 2022-09923 Filed 5-11-22; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2022-0173]

RIN 1625-AA00

Safety Zone; Barge Based Fireworks, Hudson River, Wappingers Falls, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all navigable waters within a 600-foot radius of the fireworks launch site which is located on the Hudson River, Wappingers Falls, NY, in the vicinity south of Crum Elbow. This safety zone is needed to protect personnel, vessels, and the marine environment from the potential hazards during a fireworks display on May 28, 2022. Entry of vessels or persons into, transiting

through, mooring, or anchoring within this zone are prohibited unless authorized by the Captain of the Port New York.

DATES: This rule is effective from 10 p.m. through 11 p.m. on May 28, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2022-0173 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email MST1 S. Stevenson, Waterways Management Division, U.S. Coast Guard; telephone 719-354-4000, email D01-SMB-SecNY-Waterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port New York
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable and contrary to the public interest. The final details for this event were not known to the Coast Guard until there was insufficient time to publish an NPRM. Thus, delaying the effective date of this rule to wait for a comment period to run would be impracticable because it would inhibit the Coast Guard’s ability to protect the public and vessels from the hazards associated with a barge based fireworks display. The expeditious implementation of this rule is in the public interest because it will help ensure the safety of those involved in displaying the fireworks, the spectators, and users of the waterway during the fireworks event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port New York (COTP) has determined that potential hazards associated with this fireworks display, on May 28, 2022, will pose a significant risk to public safety and property. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the fallout zone immediately before, during, and after the fireworks display.

IV. Discussion of the Rule

This rule establishes a temporary safety zone on all navigable waters within a 600-foot radius of a barge located at approximate position 41°45’21.06” N 73°56’35.94” W on the Hudson River, Wappingers Falls, NY, in the vicinity south of Crum Elbow. No vessel or person will be permitted to enter the safety zone between 10 p.m. through 11 p.m. on May 28, 2022. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters during the fireworks display. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a Designated Representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the duration and time-of-day of the safety zone. This safety zone will restrict vessel traffic from entering or transiting within a 600-foot radius of the fireworks launch site which is located on the Hudson River, Wappingers Falls, NY, in the vicinity south of Crum Elbow. The approximate position is 41°45’21.06” N 73°56’35.94” W. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF-