

14 CFR Parts 71, 91, 103, 105

[Docket No. 23708; Amendment Nos. 71-10, 91-187, 103-2, 105-8]

Airport Radar Service Areas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action adopts certain National Airspace Review (NAR) recommendations concerning air traffic rules governing flight operations within airspace designated as "airport radar service area (ARSA)." Specifically, this action defines "airport radar service area" and establishes air traffic rules for operation within such an area. The initial airport radar service areas are established under separate rulemaking actions in Airspace Docket No. 84-AWA-31 for the Robert Mueller Municipal Airport, Austin, TX; the Port Columbus International Airport, Columbus, OH; and the Baltimore/Washington International Airport, Baltimore, MD. Future notices will propose airport radar service areas for other locations.

EFFECTIVE DATE: March 14, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. William C. Davis, Airspace—Rules and Aeronautical Information Division, ATO-200, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591, telephone (202) 426-8783.

SUPPLEMENTARY INFORMATION:**Background**

On April 22, 1982, the NAR plan was published in the **Federal Register** (47 FR 17448). The plan encompasses a review of airspace use and the procedural aspects of the air traffic control (ATC) system. The three main objectives of the NAR are:

(1) To develop and incorporate into the air traffic system a more efficient relationship between traffic flows, airspace allocation, and system capacity. This will involve the use of improved air traffic flow management to maximize system capacity and improve airspace management.

(2) To review and eliminate, wherever possible, governmental restraints to system efficiency levied by Federal

Aviation Regulations (FAR) and FAA directive—reducing complexity and simplifying the ATC system.

(3) To revalidate ATC services within the National Airspace System with respect to state-of-the-art and future technological improvements. This will entail a complete review of separation criteria, terminal control area/terminal radar service area (TCA/TRSA) requirements, instrument flight rules/visual flight rules (IFR/VFR) services to the pilot, etc.

Organization participating in the NAR task group are:

Federal Aviation Administration
Department of Defense
Air Transport Association
National Business Aircraft Association
Regional Airline Association
Aircraft Owners and Pilots Association
Experimental Aircraft Association
Helicopter Association International
Air Line Pilots Association

NAR Recommendations Pertaining to the Proposal

The comprehensive plan contains an administrative structure and detailed task assignments which resulted in recommendations to the FAA, including the NAR Task Group 1-2.2 recommendations set forth below.

NAR 1-2.2.1 Replace TRSA's With Airport Radar Service Areas (ARSA's)

"The Task Group recommends that the current Terminal Radar Service Area (TRSA) program—Airspace and Services—be discontinued. The Task Group further recommends that the concept identified herein as [airport radar service area (ARSA)] be implemented as replacement for the TRSA, program in accordance with the recommendations to follows."

(The task group recommendations referred to the ARSA concept as "Model B Airspace." References to "Model B Airspace" have been replaced with the term "ARSA" for consistency with the terminology used in the FAA rule.)

NAR 1-1.2.2 ARSA Size and Operating Requirements

"The Task Group recommends that the physical dimensions of [an ARSA] shall be a 10 NM radius capped at 4,000 feet height above airport (HAA) from the primary airport. This airspace shall extend down to 1200 feet above the surface except that an inner core with a 5 nautical mile radius shall extend down to the surface. Except for aircraft departing from satellite airports/heliports within [an ARSA], all aircraft shall establish two-way radio communications with ATC prior to entering [an ARSA]. Aircraft departing

satellite airports/heliports within the surface area of [an ARSA] shall establish two-way radio communications with ATC as soon as possible. Pilots must comply with approved FAA traffic patterns when departing these airports.

NAR 1-2.2.3 Outer Area Limits and Operating Requirements

"The Task Group recommends that the outer limit of [the area outside of the ARSA in which ARSA services are provided by an ARSA facility] be the same dimensions as the radar/radio coverage within each approach control's delegated airspace. While strongly encouraged, two-way radio communications is *not* a VFR requirement in [this airspace] and aircraft are not restricted from entering/transmitting this airspace."

NAR 1-2.2.4 ATC Services

"Services provided within [an ARSA] shall be as follows: Sequencing of arriving aircraft; IFR be provided standard IFR separation; IFR to VFR be provided traffic advisories and conflict resolution so that targets do not merge at the same altitude; and VFR to VFR be provided traffic advisories. Furthermore, aircraft operating outside [an ARSA] but within the approach control's area of jurisdiction will receive [ARSA] services upon establishing two-way radio communications and radar contact."

[NAR 1-2.2.5 Not applicable to this proposal]

NAR 1-2.2.6 Airspace Designation Criteria

"The Task Group recommends that, excluding TCA locations, all airports with an operational airport traffic control tower and currently contained within a TRSA serviced by Level III, IV, or V radar approach control facility shall have [an ARSA] designated; unless a study indicates that such designation is inappropriate for a particular location. Any other location serviced by a radar approach control facility may be considered as a candidate location for [an ARSA] on the basis of a thorough staff study considering, but *not limited to*, the following:

1. Traffic mix, flow, density, and volume.
2. Airport configuration, geographical features and adjacent airspace/facilities.
3. Collision risk assessment.
4. ATC capabilities to provide [ARSA] services to the users at maximum benefit and minimum cost.

All proposed [ARSA] actions shall be subject to regional and headquarters

approval. Military operated facilities will process requests through appropriate military and FAA channels. Any [ARSA] location which fails to meet the establishing criteria for its respective location for more than 12 consecutive months, shall be subject to a regulatory review to terminate the [ARSA] designation."

NAR 1-2.2.7 Charting

"The Task Group recommends for further consideration by Task Group 1-6 that all [ARSA's] be charted, and that either a visual or narrative method of identifying the [area in which ARSA services are provided by an ARSA facility] be undertaken."

NAR 1-1.2.8 Education

"The Task Group recommends the aviation community be made aware of [the ARSA program] by educational programs to support ATC operational and procedural information, phraseology, practices, and the desirability of voluntary participation. Specifically, it is recommended:

1. All FAA pilot exams and appropriate textbooks must contain a significant amount of questions and information concerning radar operation in terminal areas. Specifically, operations and procedures be included in written and practical tests for pilot certification, ratings, and reviews.

2. Specific questions and answers must be required on all flight reviews and other appropriate occasions (air carrier initial and recurrent proficiency training, pilot proficiency exams, biennial flight review, etc.) to assure that users in every aviation community have shown a current understanding of radar terminal areas and their use of these areas.

3. The FAA develop and fund a traveling air traffic team to speak to pilot groups on operations within the National Airspace System; i.e., [ARSA]. Emphasis should be given to flight instructor contact.

4. An advisory circular dealing with [the ARSA program] be published to include well presented, up-to-date information on operations in terminal airspace and that this advisory circular be given the widest possible dissemination to aviation users and organizations.

5. The Airman's Information Manual (AIM) be distributed free of charge to all fixed-base operators (FBO's) at all public use airports.

6. FAA Public Affairs Office develop and promote through the general news media, aviation awareness of FAA

services and publications available to the pilot and general public.

7. Facts about terminal airspace in some form of questionnaire be developed and distributed by the FAA to appropriate agencies (licensed pilots, fixed-base operators, business organizations, etc.). This questionnaire could be a public relations effort, advisory circular, or included in the Airman's information Manual.

8. FAA continues to make available to interested pilot groups training or other audio-visual aids that deal with terminal radar operations."

A copy of the task group's report is in the public docket.

The ARSA Confirmation

In Notice 83-9 [July 28, 1983; 48 FR 34286], the FAA stated that it believed in the merits of the task group's recommendations, and set forth aspects of those recommendations which could be confirmed under a proposed Special Federal Aviation Regulation (SFAR) to Austin, TX, and Columbus, OH. After reviewing the proposal in the light of the comments received, the FAA issued SFAR No. 45 [October 28, 1983; 48 FR 50038] to accomplish the confirmation.

The FAA contracted with Engineering and Economic Research, Inc. (EER) to analyze user operational experience with the ARSA's at Columbus and Austin. A copy of the EER analysis is in the docket. The FAA, itself, conducted random informal evaluations of ATC procedures which were also being confirmed. Informal discussion between FAA management and air traffic controllers at Columbus and Austin concerning ARSA operations and air traffic procedures were conducted routinely. These activities revealed that a significantly majority of users approve of the ARSA concept in the NAR recommendations. The FAA also conducted a detailed analysis of comparative radar data gathered before and during the confirmation at Columbus, a copy of which is in the docket, and found that the ARSA produced a significant reduction in collision risk.

The FAA concluded that the confirmation at Columbus and Austin indicated probable benefits of the ARSA program for users at other locations. The confirmation also revealed an ARSA to be a practical replacement for a TRSA from an ATC procedural standpoint. On November 30, 1984, the FAA published Notice No. 84-22 which proposed air traffic rules governing flight operations within designated ARSA's (49 FR 47184).

Analysis of Comments

The FAA received 17 comments on the Notice of Proposed Rulemaking (NPRM) published November 30, 1984, in Docket No. 23708, in addition to 15 comments received earlier in the same docket in response to SFAR 45, which included a request for comments. Also, several comments received in the related Airspace Docket No. 84-AWA-31 contained remarks pertinent to Docket No. 23708, and were considered in the development of this rule. Those persons who have an interest in either proposal are encouraged to review the comments submitted in both dockets.

Several commenters were critical of the comment period on the NPRM provided by the FAA, and requested an extension of the comment period. The FAA believes the period for notice and comment was sufficient to permit full public comment on the proposed rule. The flight rules adopted in this amendment have been the subject of extensive discussion and review by the aviation public as a result of the NAR process, by which the rulers were recommended. Moreover, the designation of any particular site for establishment of an ARAS will be the subject of additional rulemaking, with the opportunity for additional public comment.

The comments received on the SFAR between December 1983 and August 1984 were generally critical of the ARSA concept, although not on the basis of actual experience with the Austin, TX, or Columbus, OH, ARSA's. Common comments were that the standardized ARSA airspace will not serve the intended purpose in areas of mountainous terrain, will discourage or preclude certain activities such as soaring near ARSA airports, and will inhibit free access to satellite airports within an ARSA. The FAA does not believe that any of the above criticisms constitutes an insurmountable problem with establishment of the ARSA program, or presents sufficient reasons to depart from the general policy of establishing ARSA's in a standardized configuration. However, the actual configuration of any particular ARSA will take into consideration any unusual terrain features. Also, there are means to accommodate the presence of satellite airports and, where consistent with ATC safety and efficiency, VFR activities such as soaring. These measures are discussed in more detail below in connection with comments received in response to the most recent NPRM.

Comments received from organizations which participated in

NAR Task Group 1-2.2 were generally supportive of the proposed ARSA rules. These groups included the Aircraft Owners and Pilots Association (AOPA), the Air Transport Association (ATA), the Experimental Aircraft Association (EAA), the National Business Aircraft Association (NBAA), the Regional Airline Association (RAA), and the Air Line Pilots Association (ALPA). In each case the above groups offered additional comments or requests which, together with other comments received, are discussed below by subject.

Establishment Criteria

Several commenters addressed the need for specific criteria for establishment (and disestablishment) of ARSA airspace at individual sites, rather than considering each existing TRSA as an automatic candidate for an ARSA. Recommended criteria included aircraft operations and passenger enplanements, proximity of other airspace complexes and other airports, and geography. AOPA also suggested that in addition to TRSA's, those TCA's which currently do not meet the standards for establishment of a new TCA also be considered as candidates for replacement by an ARSA. One commenter also requested that any specific criteria developed by FAA for establishment of an ARSA first be proposed in an NPRM and published in the **Federal Register** for comment.

FAA consideration of most TRSA sites as candidates for ARSA's is adopted in response to NAR Recommendation 1-2.2.1. Initially, only those TRSA locations which are served by a Level III, IV, or V terminal radar facility will be considered for establishment. In each case, an ARSA would be established only after issuance of an NPRM and the opportunity for public comment on the merits of an ARSA at the proposed location. The impact on the proposed ARSA of local geography, adjacent airspace configurations, and nearby airports would receive full consideration by FAA only in determining appropriate adjustments to the configuration of the ARSA, but also in determining whether it would be appropriate to establish an ARSA.

FAA is currently in the process of developing specific quantitative criteria, such as traffic and passenger enplanements, for example, for proposing the establishment of ARSA's for locations that are not TRSA's or that are not served by a Level III, IV, or V approach control facility. FAA will issue the criteria before proposing such additional ARSA locations. FAA does

not intend to develop the criteria through the formal rulemaking process, but will take into consideration all comments relating to establishment criteria received in this docket.

FAA has not proposed to consider any existing TCA's for potential replacement by ARSA's and does not adopt such a policy at this time.

Potential Impacts

Comments critical of the proposal generally involved concerns about increased delays, the exclusion of certain user groups, and potential safety impacts. Several commenters were concerned that establishment of an ARSA would increase traffic delays in that area as a result of unnecessary separation standards, extensive vectoring, and the difficulty in contacting ATC due to frequency congestion. Because participation in existing TRSA's is high, and separation standards in an ARSA are less than those in a TRSA (radar separation standards in an ARSA are less than the 1.5 mile lateral standard for participating aircraft in a TRSA). FAA does not believe that the implementation of mandatory separation in ARSA's will result in any significant traffic delays. For the same reasons, the FAA does not anticipate extensive or circuitous vectoring of aircraft in an ARSA. The NAR proposal was intended to minimize the vectoring or rerouting of VFR aircraft in affected terminal airspace, and this should be accomplished by the procedures implemented by FAA. Moreover, the only requirement to enter an ARSA is two-way radio communications with ATC. In the absence of subsequent ATC instructions, the pilot may proceed via his/her planned route. Finally, FAA does not believe that radio frequency congestion will result in delays or exclusion from an ARSA. When congestion is experienced, resource adjustments will be considered to resolve the problem.

A few commenters on the NPRM expressed concern that an ARSA would have the effect of excluding some VFR pilots, primarily recreational aircraft and sailplanes. The ARSA requirement for two-way radio communications does effectively preclude aircraft not having this basic communications capability from entering an ARSA, without special ATC authorization. FAA believes, however, in consideration of the safety benefits of the communications requirement, that the effects of the rule are limited and are fully justified. Moreover, as discussed below in connection with ARSA configuration, special procedures will be considered on

a site-specific basis to permit access to nontower airports underlying an ARSA, without entering ARSA airspace. It may also be possible, at affected sites, to accommodate soaring and other recreational VFR flight activities in an ARSA through agreement with the controlling ATC facility. In the rulemaking which will precede the establishment of each individual ARSA, FAA will consider comments and suggestions on means for the safe and efficient accommodation of aviation activities which might otherwise be precluded by the proposed ARSA.

While none of the commenters on the NPRM claimed that an ARSA would reduce safety rather than enhance it, several safety-related issues were raised in comments on the NPRM and on the previous SFAR. One commenter suggested that controller workload would be substantially increased by the implementation of an ARSA. The FAA is confident that an increase in traffic will only result from the handling of aircraft not presently participating in the TRSA program and that any such increase would not cause a substantial increase in an individual controller's workload because of the present high level of participation in the TRSA program. However, if an ATC facility does experience a substantial increase in traffic handled, the FAA will take the necessary measures to ensure that adequate facilities and personnel are available to handle the increase.

Another comment was that the establishment of an ARSA, with its operating requirements, would lead many VFR pilots to avoid the ARSA, resulting in compression of traffic in adjacent areas. FAA does not believe that a significant number of pilots will choose to avoid ARSA airspace, given the minimum burden involved of contacting ATC. Also, the airspace taken by an ARSA is not extensive either laterally or vertically, and in most locations there is no reason to conclude that traffic circumventing the ARSA would be compressed into a confined area. A final safety-related comment received was the concern that provision of radar separation in an ARSA would generate a false sense of security in VFR pilots, and would undermine the duty to see-and-avoid other aircraft. See-and-avoid responsibility is not relieved or diminished in an ARSA, and FAA intends to make this responsibility clear in informational announcements and materials dealing with the ARSA program. However, FAA believes that any possible misperception of some pilots as to their see-and-avoid responsibilities in an ARSA

environment is an issue of pilot education, and does not support the nonadoption of the ARSA concept itself.

ARSA Configuration and Dimensions

Many of the commenters suggested changes to the ARSA dimensions as proposed, while others urged that no consideration be given to expansion of the proposed dimensions. Commenters generally supported the FAA policy of standardizing the dimensions of ARSA's, and NBAA in particular expressed concern at FAA's announced intention to consider "customization" of areas in certain circumstances. FAA has adopted the dimensions as proposed, and, in the absence of special circumstances, individual ARSA's will be proposed in the standard configuration. However, the existence of other airports or controlled airspace adjacent to the primary airport may present a situation in which the standard configuration is not feasible.

AOPA and EAA both requested that access to satellite airports within a proposed ARSA be protected. AOPA specifically requested that the traffic pattern of a satellite airport be excluded from the ARSA and depicted as a cutout from the ARSA on aeronautical charts. AOPA argued that traffic to and from satellite airports should not be required to participate in the ARSA, and that exclusion of the satellite airport traffic pattern from the ARSA is the only way to avoid pilot confusion. EAA suggested that access to satellite airports within the 5-mile core of an ARSA, without participation in the ARSA, could be allowed by retaining the provisions of FAR 91.85(b). Section 91.85(b) permits operation to and from the satellite airports in an airport traffic area. FAA believes that establishment of an ARSA will not necessarily have an adverse effect on access to satellite airports within the ARSA, and that where there is a potential for such effect, it can be resolved. Satellite airports with control towers, whether in the 5-mile core or the 10-mile shelf area, will require no adjustment of the ARSA configuration. Local procedures established between the satellite tower and the ARSA controlling facility will ensure that pilots remain in contact with the appropriate facility, and that access to the airport through ARSA airspace is not impeded. For nontower airports located under the 5- to 10-mile shelf, no reconfiguration of the standard ARSA is required because aircraft may approach and depart the airport below 1200 feet above ground level (AGL), and thereby remain clear of ARSA airspace. Nontower airports within the 5-mile core area present a

more complex problem. It may be most practical to provide access to the airport by letter of agreement or other special arrangement with the ARSA controlling facility. However, in situations where safety, traffic flow, or pilot understanding would be enhanced, the FAA will consider permitting unrestricted access to the airport below 1200 feet AGL. In such situations, cutouts would be depicted on the representation of the ARSA's on aeronautical charts.

AOPA renewed its request, first made in the NAR task group, that the upper limit of the ARSA airspace be set at 3000 feet above airport elevation rather than 4000 feet as proposed. This issue was considered by the NAR task group, and has been reconsidered by FAA in light of the operational experience at Austin and Columbus. Based on the majority recommendation of NAR Task Group 1-2.2, the comments of other users, and the experience with the Austin, TX, and Columbus, OH, ARSA's, FAA has retained the 4000 foot cap. FAA considers it desirable to have mandatory participation up to 4000 feet above airport elevation for the type of airports that will be eligible for the ARSA airspace designation, and we do not believe it necessary or beneficial to make the cap compatible with the upper limit of the airport traffic area, as AOPA suggests.

AOPA requests that the lower limit of the ARSA shelf be set at 1200 feet above the highest terrain in the 10-mile radius, and that the floor not be segmented to follow variations in terrain. FAA agrees that any segmenting of the floor in the 5- to 10-mile area should be kept to a minimum, but we believe that some segmenting will be appropriate in certain terrain situations. Each proposal to incorporate a segmented base altitude will be subject to further comment in the airspace rulemaking for that location.

Representatives of the Soaring Society of America and several individual sailplane pilots requested that in areas where soaring is now conducted within the proposed ARSA, either the ARSA be modified or special procedures be developed to permit the sailplane operations to continue without complying with ARSA communication requirements. FAA does not believe that a national policy of modifying the standard ARSA configuration or procedures is warranted, given the relatively small number of locations at which soaring would be conducted within an ARSA. However, at some proposed ARSA locations it may well be the case that there is substantial sailplane activity conducted in the local

area, and that those sailplane operations could be adversely affected by the establishment of an ARSA. In those cases, FAA is willing to consider special procedures to accommodate the soaring, including arrangement with the local ARSA controlling facility to operate without radio equipment at certain times and in certain prearranged areas, if control and separation of other aircraft is not adversely impacted. Procedures for any particular location would be developed during the proposal and comment process, and would be specific to that location.

Finally, several commenters addressed the nonregulatory 20-mile limit of the area in which ARSA services are provided by ATC, but in which user participation is not required. NBAA found the 20-mile perimeter acceptable, but suggested that the areas of two adjacent ARSA's be connected. This suggestion will be considered in the airspace rulemaking at appropriate locations. ALPA objected to the 20-mile limitation and requested that radar service be provided to the limits of the controlling facility's radar coverage, as implemented during the operational confirmation. For the reasons discussed in the NPRM, FAA continues to believe that the 20-mile perimeter provides a high level of service to participating aircraft consistent with the resources of the local ATC facility, and, because of its uniformity, minimizes pilots' confusion about the services available.

Required Equipment

ATA requested that altitude-encoding transponders be required in addition to two-way radios for operation in an ARSA. FAA does not believe that transponders are required to effect the purposes of the TRSA program, and does not intend to propose a requirement for transponders in ARSA airspace.

EAA and the Soaring Society of America both expressed concern that the use of 25 kilohertz (kHz) frequency spacing, made possible by 720-channel radios, would constitute a hardship for operators of small recreational aircraft having older 360-channel radio equipment. Because the rule requires two-way radio communications capability for operation in an ARSA, the use of the 25kHz spacing in ATC ARSA frequencies would effectively force these operators to upgrade their communications equipment. There is now a serious shortage of radio frequencies spaced at 100kHz intervals. The requirement for 720-channel radio capability for system users will likely increase independent of the ARSA airspace decision. At most of the

locations for which ARSA's will be proposed, there is already a considerable demand for 720 channel radio capability, and FAA believes that the majority of aircraft using these airports already have this equipment. However, the extent that operators may need to install or upgrade aircraft radios at some potential ARSA sites will be assessed in the regulatory evaluation of a separate rulemaking proposing the designation of ARSA's at specific locations (see discussion in Economic Impact below).

Other Comments

A number of other comments were made concerning matters of operations under an ARSA, such as ATC procedures and the representation of ARSA's on aeronautical charts, which do not affect the substance or justification of the rule itself. FAA will take these comments into consideration in implementing designated ARSA's, but will not address them here.

Adoption of NAR Recommendations

The FAA's action with respect to each of the aforementioned NAR recommendations is set forth below.

NAR 1-2.2.1 Replace TRSA's With ARSA's

While the adoption of this recommendation would indicate that the FAA is adopting all aspects of the other NAR recommendations addressed herein, the FAA has only adopted the aspect dealing with the discontinuance of TRSA's. The remaining aspects of this recommendation are treated individually. In that regard, all current TRSA locations will remain as such until they are cancelled or converted to ARSA's. Additionally, ATC procedures dealing with TRSA's will remain in place and aeronautical charts will continue to depict each TRSA until it is cancelled or converted.

NAR 1-2.2.2 ARSA Size and Operating Requirements

The physical dimensions of the ARSA and the operating requirements recommended by the task group are adopted except that the floors of the airspace between 5 and 10 miles may be segmented and will be expressed in altitudes above mean sea level instead of AGL because of variations in terrain elevations. This deviation is in the spirit of the task group's recommendations and every effort will be made to ensure that the ARSA airspace between 5 and 10 miles of each ARSA is not segmented except as necessary.

Additionally, some customizing of ARSA's may be required due to proximity of satellite airports and other regulatory airspace designations. However, customizing will be held to the absolute minimum required and the FAA foresees no situation that would necessitate extension of the ARSA airspace beyond 10 nautical miles.

NAR 1-2.2.3 Outer Area Limits and Operating Requirements

While the limit that was operationally confirmed at Austin, TX, and Columbus, OH, coincided with the extent of the approach control facility's delegated airspace, the FAA may not always have the resources or capability to provide the ARSA service to those limits. Further, the FAA believes flexibility must be retained in establishing limits because of considerations which include: Proximity to TCA's; clustering of ARSA's; terrain; unusually high level of activity not related to the ARSA airport operation, and radio/radar coverage. Accordingly, the limits of the airspace outside each ARSA within which ARSA services are provided with be depicted narratively on sectional charts in a manner similar to the method used for the confirmation. The procedures for establishing the limits will be implemented under the FAA directive system; therefore, user organizations will have another opportunity to provide comments regarding this subject.

NAR 1-2.2.4 ATC Services

The ATC services that the task group recommended the FAA provide within the ARSA will be provided as recommended, and will be implemented under the FAA directives system. The services provided by ATC through mandatory participation in the ARSA will be available to pilots on a voluntary participation basis in other specified areas within the approach control's area of jurisdiction. These services will be in addition to the services and separation currently applied to aircraft operating under IFR. Specifically, ATC will: (1) Resolve potential conflicts between aircraft operating under IFR and aircraft operating under VFR by ensuring that 500 feet vertical separation exists between those aircraft or by ensuring that those aircraft's radar targets do not touch; and (2) provide traffic advisory service and arrival sequencing to aircraft.

Where there is a satellite airport with an operating control tower within the ARSA, the airport traffic area of the satellite airport will overlap the ARSA airspace. The requirements of the adopted rules apply in such airspace.

Pilots approaching a satellite airport with an operating control tower will be provided ARSA services until they are in two-way communication with the tower. Pilots approaching a satellite airport without an operating control tower will receive ARSA services until they are instructed to change to the appropriate airport frequency; however, general traffic information concerning observed radar targets will be provided by ATC in such cases. Pilots departing a satellite airport will receive ARSA services upon establishing two-way radio communications with the ARSA facility.

The provision of ARSA services at any location is dependent upon operation of the local ATC facility. Hours of facility nonoperation, when ARSA requirements and services would not apply, may be specified in airspace rules for individual sites or by Notices to Airmen.

NAR 1-2.2.6 Airspace Designation Criteria

This recommendation is adopted. The following is a list of TRSA locations that are candidates for conversion to ARSA's. In some cases under this recommendation, more than one ARSA would be created from a single TRSA; for example, there are three airports within the Ontario, CA, TRSA—Ontario International, March Air Force Base (AFB), and Norton AFB airports—that would be candidates for individual ARSA's. However each specific ARSA airport will be addressed separately in an NPRM.

ARSA Candidate Locations:

Anchorage, AK; Mobile, AL; Little Rock, AR; Burbank, CA; Orlando, FL; Tampa, FL; Macon, GA; Cedar Rapids, IA; Ontario, CA; San Diego, CA; Windsor Locks, CT; Jacksonville, FL; Tallahassee, FL; Columbus, GA; Kahului, HI; Boise, ID; Peoria, IL; Evansville, IN; South Bend, IN; Lexington, KY; Lafayette, LA; Baltimore, MD; Grand Rapids, MI; Saginaw, MI; Billings, MT; Greensboro, NC; Omaha, NE; Reno, NV; Islip, NY; Syracuse, NY; Columbus, OH; Youngstown, OH; Portland, OR; Harrisburg, PA; Champaign, IL; Rockford, IL; Fort Wayne, IN; Wichita, KS; Louisville, KY; Lake Charles, LA; Portland, ME; Kalamazoo, MI; Gulfport, MS; Charlotte, NC; Raleigh, NC; Atlantic City, NJ; Albany, NY; Rochester, NY; White Plains, NY; Dayton, OH; Oklahoma City, OK; Allentown, PA; Toledo, OH; Charleston, SC; Bristol, TN; Memphis, TN; Austin, TX; El Paso, TX; San Antonio, TX; Norfolk, VA; Quonset Pt., RI; Greer, SC; Knoxville, TN; Amarillo, TX; Corpus Christi, TX; Midland, TX; Chantilly, VA; Roanoke,

VA; Tacoma, WA; Milwaukee, WI; Birmingham, AL; Montgomery, AL; Phoenix, AZ; Monterey, CA; Palm Springs, CA; Santa Ana, CA; Daytona Beach, FL; Cincinnati, KY; Baton Rouge, LA; Shreveport, LA; Flint, MI; Lansing, MI; Jackson, MS; Fayetteville, NC; Lincoln, NE; Albuquerque, NM; Burlington, VT; Green Bay, WI; Charleston, WV; Huntsville, AL; Abilene, TX; Tucson, AZ; Oakland, CA; Sacramento, CA; Colorado Springs, CO; Ft. Lauderdale, FL; Pensacola, FL; W. Palm Beach, FL; Savannah, GA; Des Moines, IA; Moline, IL; Springfield, IL; Indianapolis, IN; Tulsa, OK; Erie, PA; San Juan, PR; Columbia, SC; Chattanooga, TN; Nashville, TN; Beaumont, TX; Lubbock, TX; Salt Lake City, UT; Buffalo, NY; Rome, NY; Akron Canton, OH; Richmond, VA; Spokane, WA; Madison, WI.

NAR 1-2.2.7 Charting

This recommendation is adopted. Each ARSA will be depicted on aeronautical charts in a manner similar to the way Austin, TX, and Columbus, OH, locations are depicted.

NAR 1-2.2.8 Education

This recommendation is adopted to the extent set forth in Notice 84-22.

The Amendment

After consideration of the comments received, the FAA is adopting, with the exception of two editorial changes, the amendments to Parts 71, 91, 103, and 105 as they were proposed in Notice 84-22. The definition of an ARSA in new § 71.14 has been revised for consistency with the definitions of other types of controlled airspace in Part 71. The revision has no effect on the operating rules for an ARSA or the extent of airspace involved. A second editorial revision was made to new § 91.88. The phrase "or heliport" was deleted from the proposed section as unnecessary, because the term "airport" as defined in FAR Part 1, Section 1.1, includes heliports.

These amendments establish a new type of airspace assignment and prescribe operating rules for aircraft, ultralight vehicles, and parachute jump operations in that airspace.

Specifically, aircraft arriving at any airport in an ARSA, and overflying aircraft, prior to entering the ARSA must: (1) Establish two-way radio communications with the ATC facility having jurisdiction over the area; and, (2) while in the ARSA, maintain two-way radio communications with that ATC facility. For aircraft departing from the primary airport within the ARSA, two-

way radio communications must be maintained with the ATC facility having jurisdiction over the area. For aircraft departing a satellite airport or heliport within the ARSA, as soon as practicable after takeoff, two-way radio communications must be established and thereafter maintained, while operating within the ARSA, with the ATC facility having jurisdiction over the area.

All aircraft operating within an ARSA are required to comply with all ATC clearances and instructions and any FAA arrival or departure traffic pattern for the airport of intended operation. However, the proposed rule permits ATC to authorize appropriate deviations to any of the operating requirements of the proposed rules when safety considerations justify the deviation or more efficient utilization of the airspace can be attained. Ultralight vehicle operations and parachute jumps in an ARSA may only be conducted under the terms of an ATC authorization.

Economic Impact

This action defines an ARSA and establishes air traffic rules for operation within the ARSA. Specific designations of individual ARSA's will be proposed in separate NPRM's. This amendment has no economic consequences. Rather, it is the airspace proposals which would implement this rule at specific sites that would have the economic impact, if any, at those sites. The FAA will provide a Regulatory Evaluation (an analysis of the economic impact), a Trade Impact Analysis (an analysis of the impact of the rule on foreign trade), and a Regulatory Flexibility Determination (whether a proposal has a significant economic impact on a substantial number of small entities) when an ARSA is proposed at specific sites.

Accordingly, the FAA has determined that: (1) The amendment does not involve a major rule under Executive Order 12291; (2) the amendment is not significant nor does it require a full Regulatory Evaluation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) it is certified that under the criteria of the Regulatory Flexibility Act that the amendment will not have a significant economic impact on a substantial number of small entities. In addition, this amendment, if adopted, would have little or no impact on trade opportunities for U.S. firms doing business overseas, or for foreign firms doing business in the U.S.

This rule is published less than 30 days prior to its effective date of March 14. By separate rulemaking published

this date, FAA has established ARSA's at Austin, TX; Columbus, OH; and Baltimore, MD, to take effect on March 14. March 14 is the next publication for enroute low altitude navigation charts published by the National Ocean Survey. Pilots rely on these charts for flight information, and FAA considers it a matter of flight safety that the implementation date for each ARSA coincide with the publication date of the air navigation chart depicting the ARSA. The permanent Austin and Columbus ARSA's and the Baltimore ARSA cannot be established unless this rule, which promulgates the definition and operating rules for ARSA's is in effect. If these ARSA's are not established on March 14, the next subsequent chart publication date, and the next date on which the three ARSA's could become effective, is in September. FAA considers the establishment of the ARSA at Baltimore Airport to be of immediate importance and cannot accept a 6-month delay in implementation of this ARSA. Furthermore, controller training, revised coordination procedures among adjacent ATC facilities, and equipment display modifications have been undertaken at all these locations in preparation for the March 14 effective date. A 6-month delay in implementation would have a disruptive effect on the ATC facilities involved. For these reasons, and in consideration of the fact that the final rule is substantially identical to the proposal, the FAA finds that good cause exists for making the rule effective less than 30 days after publication.

List of Subjects

14 CFR Part 71

Airspace, Navigation (air).

14 CFR Part 91

Air traffic control, Airport, Aviation safety, Flight rules, Terminal control areas.

14 CFR Part 103

Aircraft, Aviation safety, Recreation and recreation areas, Ultralight vehicles.

14 CFR Part 105

Aircraft, Aviation safety, Recreation and recreation areas, Parachute jumps.

The Rule

For the reasons set out in the preamble, Chapter I of Title 14 of the Code of Federal Regulations is amended as set forth below.

PART 71—[AMENDED]

1. In Part 71, by adding new § 71.1(e), new § 71.14, and new Subpart L, § 71.501, to read as follows:

§ 71.1 Applicability.

(e) The airspace assignments described in Subpart L of this part are designated as airport radar service areas.

§ 71.14 Airport Radar Service Areas.

The airport radar service areas listed in Subpart L of this part consist of controlled airspace extending upward from the surface or higher to specified altitudes, within which all aircraft are subject to operating rules and equipment requirements specified in Part 91 of this chapter. Each location listed includes at least one primary airport around which the airport radar service area is located.

Subpart L—Airport Radar Service Areas

§ 71.501 Designation.

The airspace descriptions listed below are designated as airport radar service areas. The primary airport for each airport radar service area is also designated. Except as otherwise specified, all mileages are nautical miles and all altitudes are above mean sea level.

PART 91—[AMENDED]

2. In Part 91, by revising § 91.1(b)(1) and adding new § 91.88 to read as follows:

§ 91.1 Applicability.

(b) * * *

(1) When over the high seas, comply with Annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with §§ 91.70(c), 91.88, and 91.90 of Subpart B;

§ 91.88 Airport Radar Service Areas.

(a) *General.* For the purposes of this section, the primary airport is the airport designated in Part 71, Subpart L, for which the airport radar service area is designated. A satellite airport is any other airport within the airport radar service area.

(b) *Deviations.* An operator may deviate from any provision of this section under the provisions of an ATC authorization issued by the ATC facility having jurisdiction of the airport radar service area. ATC may authorize a deviation on a continuing basis or for an individual flight, as appropriate.

(c) *Arrivals and Overflights.* No person may operate an aircraft in an airport radar service area unless two-way radio communication is established with ATC prior to entering that area and is thereafter maintained with ATC while within that area.

(d) *Departures:* No person may operate an aircraft within an airport radar service area unless two-way radio communication is maintained with ATC while within that area, except that for aircraft departing a satellite airport, two-way radio communication is established as soon as practicable and thereafter maintained with ATC while within that area.

(e) *Traffic Patterns.* No person may take off or land an aircraft at a satellite airport within an airport radar service area except in compliance with FAA arrival and departure traffic patterns.

PART 103—[AMENDED]

3. In Part 103, by revising § 103.17 to read as follows:

§ 103.17 Operations in Certain Airspace.

No person may operate an ultralight vehicle within an airport traffic area, control zone, airport radar service area, terminal control area, or positive control area unless that person has prior authorization from the air traffic control facility having jurisdiction over that airspace.

PART 105—[AMENDED]

4. In Part 105, by adding new § 105.20 to read as follows:

§ 105.20 Jumps In or Into Airport Radar Service Areas.

(a) No person may make a parachute jump and no pilot in command may

allow a parachute jump to be made from that aircraft in or into an airport radar service area without, or in violation of, the terms of an ATC authorization issued under this section.

(b) Each request for an authorization under this section must be submitted to the control tower at the airport for which the airport radar service area is designated.

(Secs. 307 and 313(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348, 1354(a)); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); 14 CFR 11.45; and 14 CFR 11.65)

Issued in Washington, D.C., on February 27, 1985.

Richard H. Jones,

Deputy Administrator.

[FR Doc. 85-5393 Filed 3-1-85; 5:03 pm]

BILLING CODE 4910-13-M