CHANGE

U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

7400.2E CHG 3

SUBJ: FAA ORDER 7400.2, PROCEDURES FOR HANDLING AIRSPACE MATTERS

1. **PURPOSE.** This change transmits revised pages to Order 7400.2, Procedures for Handling Airspace Matters.

2. **DISTRIBUTION.** This change is distributed to select offices in Washington headquarters, regional offices, the FAA Technical Center, the FAA Aeronautical Center, all air traffic field facilities, international aviation field offices, and interested aviation public.

3. **EFFECTIVE DATE.** May 15, 2003.

4. **EXPLANATION OF CHANGES.** See the Explanation of Changes attachment which has editorial corrections and changes submitted through normal procedures.

5. **DISPOSITION OF TRANSMITTAL.** Retain this transmittal until superseded by a new basic order.

6. **PAGE CONTROL CHART.** See the Page Control Chart attachment.

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Date: April 2, 2003

Distribution: ZAT-740; AMA-522; AML-350; ATA-10; ATA-400 Initiated by: ATA-400

Procedures for Handling Airspace Matters

Explanation of Changes

a. Paragraph 1-2-7. ORDER CHANGES

Amends the subject paragraph to include procedures for convening workgroups to evaluate and recommend changes to this order. When the legacy automation system was implemented, a National Implementation Team and Workgroup were chartered to address required procedural changes, as well as reengineer the Obstruction Evaluation Airport Airspace Analysis (OE/AAA) process. The reengineering process is now complete, so a method for evaluating and implementing changes to the newly fielded OE/AAA program is now needed. Operational impact of this change is minimal. The change will only impact those regional offices from which workgroup members are selected.

b. Paragraph 2-5-3. DOCKETS

Beginning November 15, 2002, all regions began using the Docket Management System (DMS) to track airspace dockets. As directed by the Secretary of Transportation, the DMS is used to more effectively track all dockets in the FAA.

c. Chapter 18. CLASS E AIRSPACE Section 1. GENERAL

Restructures Section 1, and corrects the designation, requirements, and use of Class E surface areas.

PAGE CONTROL CHART

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Part 1. GENERAL PROCEDURES FOR AIRSPACE MANAGEMENT

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Section 2. AUTHORITY AND ORDER USE

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Section 1. POLICY

Section 2. AUTHORITY AND ORDER USE

1-2-1. POLICY

The navigable airspace is a limited national resource that Congress has charged the Federal Aviation Administration (FAA) to administer in the public interest as necessary to ensure the safe and efficient use of aircraft. Although the FAA must protect the public's right of freedom of transit through the airspace, full consideration shall be given to all airspace users, to include national defense; commercial and general aviation; and space operations. Accordingly, while a sincere effort shall be made to negotiate equitable solutions to conflicts over the use of the airspace for non-aviation purposes, preservation of the navigable airspace for aviation shall be the primary emphasis.

1-2-2. AUTHORITY AND APPLICABILITY

The authority for the procedures and associated rules and regulations addressed in this order are provided in 49 U.S.C. Subtitle VII, Aviation Programs, Part A - Air Commerce and Safety, and Part B - Airport Development and Noise:

a. Section 40101, Policy;

b. Section 40102, Definitions;

c. Section 40103, Sovereignty and Use of Airspace, and the Public Right of Transit;

d. Section 40106(a), Deviations From Regulations;

e. Section 40109, Authority to Exempt;

f. Section 40113, Administrative;

g. Section 44501(a), Long Range Plans and Policy Requirements;

h. Section 44502, General Facilities and Personnel Authority;

i. Section 44502(c), Military Construction, Rockets, and Missiles;

j. Section 44718, Structures Interfering with Air Commerce;

k. Section 44719, Standards for Navigational Aids;

l. Section 44720, Meteorological Services;

m. Section 44721, Aeronautical Maps and Charts;

n. Section 46104(e), Designating Employees to Conduct Hearings;

o. Section 46301, Civil Penalties;

p. Section 46308, Interference with Air Navigation;

q. Chapter 471, Airport Development - All of Subchapters I and II; and

r. Chapter 475, Noise - All of Subchapters I and II.

1-2-3. TITLE 14 CODE OF FEDERAL REGULATIONS (CFR) REFERENCES

a. Part 11, General Rulemaking Procedures.

b. Part 71, Designation of Class A, Class B, Class C, Class D, and Class E airspace areas; airways; routes; and reporting points.

c. Part 73, Special Use Airspace.

d. Part 77, Objects Affecting Navigable Airspace.

e. Part 91, General Operating and Flight Rules.

f. Part 93, Special Air Traffic Rules and Airport Traffic Patterns.

g. Part 95, IFR Altitudes.

h. Part 97, Standard Instrument Approach Procedures.

i. Part 101, Moored Balloons, Kites, Rockets and Free Balloons.

j. Part 152, Airport Aid Program.

k. Part 157, Notice of Construction, Alteration, Activation, and Deactivation of Airports.

l. Chapter III, Commercial Space Transportation.

m. Chapter V, National Aeronautics and Space Administration.

1-2-4. FUNCTIONAL RESPONSIBILITIES

Functional responsibilities of Headquarters and regional organizations referred to in this order are detailed in Order 1100.1, FAA Organization –

Policies and Standards; Order 1100.2, Organization - FAA Headquarters; and Order 1100.5, FAA Organization - Field.

1-2-5. WORD USAGE

The concept of word usage and intended meaning as used in this order is set forth below:

a. "Shall" or a command verb is used when application is mandatory.

b. "Shall not" is used when an action is prohibited.

c. "Should" is used when application is recommended.

d. "May" and "need not" are used when application is optional.

e. "Will" is used only to indicate futurity, never to indicate any degree of requirement for application of a procedure.

f. "Navigable airspace" is airspace at or above the minimum altitudes of flight prescribed by the Code of Federal Regulations, and shall include airspace needed to ensure safety in the takeoff and landing of aircraft. By policy, the term "airspace above minimum altitudes of flight" is interpreted to mean "airspace at or above minimum flight altitudes."

g. "Controlled airspace" is a generic term used to describe Class A, Class B, Class C, Class D, and Class E airspace.

1-2-6. ABBREVIATIONS

As used in this manual, Table 1-2-1 contains abbreviations found in this order and their meanings.

1-2-7. ORDER CHANGES

a. This order will be updated semiannually.

b. The responsibility associated with the processing and coordinating of revisions to this order is delegated to the Manager, Air Traffic Airspace and Rules Division, ATA-400.

c. Proposed changes or recommended revisions must be submitted, in writing, to ATA-400. The proposal should include a description of the proposal, and the language to be inserted in the order.

d. When appropriate, ATA-400 may convene a workgroup for the purpose of reviewing, clarifying, editing, or revising recommendations received to revise this order. Composition of the workgroup will be determined by the subject matter, and the expertise required. ATA-400 is responsible for the selection of the members of the workgroup, and for appointing the chairperson of the group.

e. The workgroup shall study the proposal, and, when appropriate, provide their recommendation to the Obstruction Evaluation (OE) Executive Council no later than 90 days after the workgroup adjourns. The Executive Council shall consist of the service managers/directors of the lines of business within the FAA who have responsibility for administering the obstruction evaluation program.

f. The Executive Council shall approve, reject, revise, or return the recommendation to the workgroup for further study. If approved by the Executive Council, the recommendation shall be published and effective in the next revision of this order.

g. When revised, reprinted, or additional pages are issued, they will be marked as follows:

1. Each revised or added page will show the change number and effective date of the change.

2. Bold vertical lines in the margin of the text will mark the location of substantive procedural, operational, or policy changes (e.g., when material that affects the performance of duty is added, revised, or deleted).

FAA Order Abbreviations

A/FD	Airport/Facility Directory
AAS	Office of Airport Safety and Standards
AAT	Air Traffic
ADO	Airport District Office
AE	Airport Elevation
AF	Airway Facilities
AFS	Flight Standards Service
AFSS	Automated Flight Service Station
AGC	Office of the Chief Counsel, Rules Docket
AGL	Above Ground Level
ALP	Airport Layout Plan

ANI	National Airspace System Implementation Program
APO	Office of Aviation Policy and Plans
APP	Office of Airport Safety and Standards
ARN	Communications, Navigation, Surveillance, and Infrastructure Directorate
ARP	Airport Reference Point
ARSR	Air Route Surveillance Radar
ARTCC	Air Route Traffic Control Center
ARU	Airborne Radar Unit
ASR	Airport Surveillance Radar
ASR	Spectrum Policy and Management
AST	Office of Commercial Space Transportation
ATA	Air Traffic Airspace Management Program
ATC	Air Traffic Control
ATCAA	Air Traffic Control Assigned Airspace
ATCRBS	Air Traffic Control Radar Beacon System
ATCSCC	Air Traffic Control System Command Center
ATCT	Airport Traffic Control Tower
ATD	Air Traffic Division
ATREP	Air Traffic Representative
ATS	Air Traffic Service
AVN	Aviation System Standards
CARF	Central Altitude Reservation Function
CASFO	Civil Aviation Security Field Office
CDRA	Center for Devices and Radiological Health
CFA	Controlled Firing Area
CFZ	Critical Flight Zone
CP	Construction Permit
DF	Directional Finder
DME	Distance Measuring Equipment
DMS	Docket Management System
DNE	Does Not Exceed
DNH	Determination of No Hazard
DoD	Department of Defense
DOH	Determination of Hazard
DPH	Determination of Presumed Hazard
EBO	Exceeds But Okay
EMI	Electromagnetic Interference
ERP	Effective Radiated Power
FAAO	Federal Aviation Administration Order
FACSFAC	Fleet Area Control and Surveillance Facility
FCC	Federal Communications Commission
FDA	Food and Drug Administration
FL	Flight Level
FPO	Flight Procedures Office
FSDO	Flight Standards District Office
FSS	Flight Service Station
GAO	General Accounting Office
HIL	High Intensity Light
IAP	Instrument Approach Procedures
ICAO	International Civil Aviation Organization
IFR	Instrument Flight Rules
ILS	Instrument Landing Systems
IR	IFR Military Training Routes
IRAC	Interdepartmental Radio Advisory Committee
J	Joule
L/MF	Low/Medium Frequency
LFZ	Laser Free Zone
LLWG	Local Laser Working Group
LMM	Middle Compass Locators
LOA	Letter of Agreement
LOD	Letter of Determination
LOM	Outer Compass Locators
LSO	Laser Safety Officer
MAJCOM	Major Military Commands
MCA	Minimum Crossing Altitudes
MCP	Minimum Crossing Point
MEA	Minimum En Route Altitude
MHA	Minimum Holding Altitudes
MIA	Minimum IFR Altitudes
MLS	Microwave Landing System
MOA	Military Operations Area
MOCA	Minimum Obstruction Clearance Altitude
MPE	Maximum Permissible Exposure
MRAD	Milliradian
MRU	Military Radar Unit
MSA	Minimum Safe Altitude
MSL	Mean Sea Level
MTR	Military Training Route
MVA	Minimum Vectoring Altitudes
NACO	National Aeronautical Charting Office
NAD	North American Datum
NAS	National Airspace System
NASA	National Aeronautics and Space Administration
NAVAID	Navigational Aid
NDB	Nondirectional Radio Beacons
NEPA	National Environmental Policy Act
NFDD	National Flight Data Digest
NFZ	Normal Flight Zone
NHRD	Nominal Hazard Zone Distance
NM	Nautical Miles

NOHD	Nominal Ocular Hazard Distance
NOTAM	Notices to Airmen
NPIAS	National Plan for Integrated Airport System
NPRM	Notice of Proposed Rulemaking
NR	Non-Rulemaking
NRA	Non-Rulemaking Airport
NWS	National Weather Service
OE	Obstruction Evaluation
OE/AAA	Obstruction Evaluation/Airport Airspace Analysis
OFZ	Obstacle Free Zone
PAPI	Precision Approach Path Indicator
PFC	Passenger Facility Charge
PL	Public Law
PSR	Project Status Request
RBS	Radar Bomb Sites
REIL	Runway End Identifier Lights
RNAV	Area Navigation
ROFA	Runway Object Free Area
RPZ	Runway Protection Zone
RVR	Runway Visual Range
RVV	Runway Visibility Value
SAMS	Special Use Airspace Management System
SFZ	Sensitive Flight Zone
SIAP	Standard Instrument Approach Procedure
SMO	System Maintenance and Operations
SR	Scientific/Research Lasers
STAR	Standard Terminal Arrival Routes
SUA	Special Use Airspace
TERABA	Termination/Abandoned Letter
TEREXP	Termination/Expired Letter
TERPS	United States Standard for Terminal Instrument Procedures
TERPSR	Termination Project Status Letter
TOFA	Taxiway Object Free Area
UTC	Coordinated Universal Time
VASI	Visual Approach Slope Indicator
VFR	Visual Flight Rule
VGSI	Visual Glide Scope Indicator
VOR	Very High Frequency Omnidirectional Range
VORTAC	Very High Frequency Omni-Directional Radio Range and Tactical Air Navigation Aid
VR	VFR Military Training Route

TBL 1-2-1

Section 5. PROCESSING RULEMAKING AIRSPACE ACTIONS

2-5-1. PURPOSE

This section prescribes procedures to be followed when taking rulemaking actions to establish, modify, or revoke regulatory airspace.

2-5-2. RESPONSIBILITY

a. The Airspace and Rules Division, ATA-400, is responsible for processing the following actions: Class A, B, and C airspace areas; special use airspace; offshore airspace areas; airways; jet routes; and those Class D and E airspace areas that overlie U.S. territories and possessions.

b. The Operations and Air Traffic Law Branch, AGC-220, is responsible for ensuring that the airspace cases listed in paragraph a. meet the requirements of the Administrative Procedures Act.

c. Regional Air Traffic Divisions (ATD) are responsible for processing all Class D and E airspace area cases.

d. The Assistant Chief Counsel for each region is responsible for ensuring that all regional airspace cases meet the requirements of the Administrative Procedures Act.

2-5-3. DOCKETS

a. Docket Location.

1. The official docket for both Headquarters' and regional rulemaking cases shall be maintained at the Docket Management System, U.S Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001.

2. The Docket Management System (DMS) can also be accessed on the internet at http://dms.dot.gov.

b. Docket Identification.

1. Rulemaking cases shall be identified by two docket numbers. The first, an FAA docket number, includes the acronym FAA; the current year; and a consecutively assigned number (e.g., FAA-2003-14010). The second, an airspace docket number, includes the last two digits of the calendar year; the abbreviation of the originating office; and a consecutively assigned number (e.g., 00-ASW-46).

2. Numbers shall run consecutively within each calendar year.

c. Docket Content. The official docket shall include all petitions, notices, rules, comments, correspondence, and related material concerning the case (other than working files).

2-5-4. FLIGHT PROCEDURAL DATA

a. If an airspace docket requires a procedure change and/or flight inspection, regional ATD shall coordinate the proposed effective date with the regional Flight Procedures Office (FPO). The proposed effective date must consider the time needed to process procedural changes and allow ample time for flight inspection, if required. The FPO shall notify the regional ATD of any problems that could affect the proposed effective date. See Order 8260.26, Establishment and Scheduling Standard Instrument Procedure Effective Dates, for scheduled processing and publication dates.

b. If a rule without notice is to be issued and flight check data is required, the regional ATD shall inform the responsible regional FPO of the action and specific data requested.

2-5-5. SUBMISSION OF AIRSPACE CASES TO HEADQUARTERS

a. The regional ATD shall review the action proposed and submit a complete technical description of the proposed airspace package (e.g., establishment, modification, or revocation) to ATA-400.

b. All background information including charts, proper justification and appropriate recommendations shall be submitted.

c. If an airspace action needs to be completed by a specific date, the regional ATD shall coordinate with the FPO and any other FAA offices as necessary to ensure that sufficient lead-time exists for meeting normal airspace procedural processing and charting requirements, and instrument approach procedure development.

d. The ATD shall submit to ATA-400 written comments received in response to the proposed comment closing date. If applicable, a statement concerning the status of the flight procedures data for en route cases (e.g., Minimum En Route Altitude, MEA; or Change Over Point, COP) shall be included.

2-5-6. EFFECTIVE DATE OF FINAL RULES

a. Amendments to parts 71 and 73 shall be made effective at 0901 Coordinated Universal Time (UTC) and shall coincide with en route charting dates as furnished by ATA-400. Exceptions are as follows:

1. Safety or national interest actions that require an earlier effective time or date.

2. Editorial changes.

3. 700-foot floor Class E airspace areas that underlie existing 1,200-foot Class E airspace areas.

4. Actions that lessen the burden on the public (e.g., revocation of restricted areas).

action, analysis of the comment(s), and any recommendations within 30 days after the

5. Class B and C airspace areas shall be made effective on days that coincide with the appropriate sectional aeronautical charting dates.

b. Cutoff dates are established to allow sufficient time for charting and chart distribution purposes. Rules should be signed on or before the applicable cutoff date.

2-5-7. PUBLICATION IN FEDERAL REGISTER

An original Notice of Proposed Rulemaking (NPRM) and three copies, or an original final rule and seven copies shall be forwarded to AGC-200 for publication in the Federal Register.

2-5-8. DISTRIBUTION

Distribution of airspace dockets (NPRMs and final rules) shall be consistent with the procedures set forth in Order 1720.18, FAA Distribution System.

Chapter 18. CLASS E AIRSPACE

Section 1. GENERAL

18-1-1. INTRODUCTION

Class E airspace consists of general controlled airspace.

18-1-2. CLASS E SURFACE AREAS

A Class E surface area is designated to provide controlled airspace for terminal operations where a control tower is not in operation. Class E surface areas extend upward from the surface to a designated altitude; or to the adjacent or overlaying controlled airspace.

18-1-3. DESIGNATION

If the communication and weather requirements described in paragraphs 17-2-9 and 17-2-10 are met, Class E2 airspace should be designated to accommodate:

a. IFR arrival, departure, holding, and en route operations not protected by other controlled airspace.

b. Instrument approach procedures. Class E2 airspace may be designated to accommodate special instrument procedures if such action is justified and/or in the public interest. The following factors are among those that should be considered:

1. Type of procedure including decision height or minimum descent altitude.

2. The actual use to be made of the procedure, including whether it is used by a certificated air carrier or an air taxi/commuter operator providing service to the general public.

NOTE-
For special instrument procedures, consideration should be given to availability to other users.

3. The operational and economic advantage offered by the procedure, including the importance and interest to the commerce and welfare of the community derived by the procedure.

4. Any other factors considered appropriate.

U.S. Department
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