

SUBJ: PROCEDURES FOR HANDLING AIRSPACE MATTERS

1. **PURPOSE.** This change transmits revised pages to Order JO 7400.2G, Procedures for Handling Airspace Matters.
2. **DISTRIBUTION.** This change is distributed to select offices in Washington headquarters, service area offices, the William J. Hughes Technical Center, and the Mike Monroney Aeronautical Center; to all air traffic field facilities and international aviation field offices; and to interested aviation public.
3. **EFFECTIVE DATE.** April 8, 2010.
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 **DISPOSITION OF TRANSMITTAL.** Retain this transmittal until superseded by a new basic order.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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Vice President, System Operations Services

Date: 3-4-2010

FAA Order JO 7400.2G

Procedures for Handling Airspace Matters

Explanation of Changes

Direct questions through appropriate facility/service center office staff
to the Office of Primary Interest (OPI).

**a. 1-2-7. ORDER CHANGES;
9-1-3. JURISDICTION;
9-2-1. ADMINISTRATIVE PROCESSING;
9-2-3. DISTRIBUTION OF NOTICES OF GRANT
REVIEW; and
9-2-6. DISTRIBUTION OF DECISION**

These changes delete references to the Obstruction Evaluation Executive Council, adds the phrase, “designated representative,” adds guidance for coordination with the Office of the Chief Counsel, and makes minor editorial changes.

**b. 14-2-1. BACKGROUND;
14-2-2. POLICY AND PURPOSE;**

**14-2-3. COMMITTEE FORMATION;
14-2-4. FAA PARTICIPATION;
14-2-5. COMMITTEE PROCESS; and
14-2-6. FAA ACTION ON COMMITTEE
RECOMMENDATIONS**

c. A new section 2 is added to chapter 14 to provide specific guidance on the policy, purpose, and procedures for ad hoc committees applicable to both Class B and Class C airspace area rulemaking actions.

d. Editorial/format changes were made where necessary throughout the order. Revision bars were not used in all cases because of the insignificant nature of the changes.

FAAO JO 7400.2G
Change 3
Page Control Chart
April 8, 2010

REMOVE PAGES	DATED	INSERT PAGES	DATED
Table of Contents i through xv	4/10/08	Table of Contents t through xv	4/8/10
Table of Contents xvi and xvii	3/27/09	Table of Contents xvi and xvii	4/8/10
1-2-1	4/10/08	1-2-1	4/10/08
1-2-2 through 1-2-4	4/10/08	1-2-2 through 1-2-4	4/8/10
9-1-1	4/10/08	9-1-1	4/8/10
9-2-1 and 9-2-2	4/10/08	9-2-1 and 9-2-2	4/8/10
.....		14-2-1 and 14-2-2	4/8/10

Order JO 7400.2G

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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 safety of aircraft and its efficient use. 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 nonaviation 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.

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, B, C, D, and E Airspace Areas; Air Traffic Service 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.
- g. Part 95, IFR Altitudes.
- h. Part 97, Standard Instrument Approach Procedures.
- i. Part 101, Moored Balloons, Kites, Unmanned Rockets and Unmanned 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/service area 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, TBL 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 processing and coordinating revisions to this order is delegated to the Manager, Airspace and Rules.
- c. Proposed changes or recommended revisions must be submitted, in writing, to Airspace and Rules. The proposal should include a description of the proposal, and the language to be inserted in the order.
- d. When appropriate, Airspace and Rules 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. Airspace and Rules is responsible for the selection of the members of the workgroup, and for appointing the chairperson of the group.

e. 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).

TBL 1-2-1

FAA Order Abbreviations

A/FD	Airport/Facility Directory
AAS	Office of Airport Safety and Standards
ADO	Airport District Office
AE	Airport Elevation
AFS	Flight Standards Service
AFSS	Automated Flight Service Station
AGC	Office of the Chief Counsel
AGL	Above Ground Level
AIM	Aeronautical Information Management
ALP	Airport Layout Plan
APO	Office of Aviation Policy and Plans
APP	Office of Airport Planning and Programming
ARP	Airport Reference Point
ARSR	Air Route Surveillance Radar
ARTCC	Air Route Traffic Control Center
ARU	Airborne Radar Unit
ASR	Spectrum Policy and Management
AST	Office of Commercial Space Transportation
ATC	Air Traffic Control
ATCAA	Air Traffic Control Assigned Airspace
ATCRBS	Air Traffic Control Radar Beacon System
ATCSCC	David J. Hurley Air Traffic Control System Command Center
ATCT	Airport Traffic Control Tower
ATO	Air Traffic Organization
ATREP	Air Traffic Representative

CARF	Central Altitude Reservation Function
CDRH	Center for Devices and Radiological Health
CFA	Controlled Firing Area
CFZ	Critical Flight Zone
CFR	Code of Federal Regulations
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
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	Government Accountability Office
HIL	High Intensity Light
IAP	Instrument Approach Procedure
ICAO	International Civil Aviation Organization
IFR	Instrument Flight Rules
ILS	Instrument Landing System
IR	IFR Military Training Route
IRAC	Interdepartmental Radio Advisory Committee
J	Joule
L/MF	Low/Medium Frequency

LFZ	Laser Free Zone
LLWG	Local Laser Working Group
LMM	Middle Compass Locator
LOA	Letter of Agreement
LOD	Letter of Determination
LOM	Outer Compass Locator
LSO	Laser Safety Officer
MAJCOM	Military Major Command
MCA	Minimum Crossing Altitude
MCP	Minimum Crossing Point
MEA	Minimum En Route Altitude
MHA	Minimum Holding Altitude
MIA	Minimum IFR Altitude
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 Altitude
NACO	National Aeronautical Charting Group
NAD	North American Datum
NAS	National Airspace System
NASA	National Aeronautics and Space Administration
NAVAID	Navigational Aid
NDB	Nondirectional Radio Beacon
NEPA	National Environmental Policy Act
NFDD	National Flight Data Digest
NFZ	Normal Flight Zone
NM	Nautical Mile
NPH	Notice of Presumed Hazard

NOHD	Nominal Ocular Hazard Distance
NOTAM	Notice to Airmen
NPIAS	National Plan of Integrated Airport Systems
NPRM	Notice of Proposed Rulemaking
NR	Nonrulemaking
NRA	Nonrulemaking Airport
NSA	National Security Area
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 Site
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
SFZ	Sensitive Flight Zone
SIAP	Standard Instrument Approach Procedure
SMO	System Maintenance and Operations
SR	Scientific/Research Lasers
STAR	Standard Terminal Arrival Route
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
USC	United States Code
UTC	Coordinated Universal Time
VASI	Visual Approach Slope Indicator
VFR	Visual Flight Rule
VGSI	Visual Glide Slope 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

Chapter 9. Discretionary Review Process

Section 1. General

9-1-1. AUTHORITY

The Director of System Operations Airspace and AIM is delegated the authority to:

- a. Grant or deny a petition for discretionary review;
- b. Decide the procedural basis upon which a review will be made;
- c. Affirm, revise, or reverse a determination issued in accordance with Part 77, section 77.19, 77.35, or 77.39c; and
- d. Remand the case to OES for termination, re-study or other action as necessary.

9-1-2. OES RESPONSIBILITY

- a. Any written communication that contains an objection to a determination issued under part 77, sections 77.19, 77.35, or 77.39, and which may be

considered a petition under section 77.37, must be treated as a petition.

- b. Any FAA office receiving a petition for discretionary review must immediately forward the document to the Airspace and Rules Group.

- c. If a petition regarding a “Determination of No Hazard” is received toward the end of the 30-day petition-filing period, the receiving office shall notify the Airspace and Rules Group as soon as possible.

- d. The OES shall assist, as requested, and provide information in a timely manner.

9-1-3. JURISDICTION

Upon receipt of a petition, jurisdiction of the case immediately transfers to the Airspace and Rules Group, and any further coordination with the petitioner, the sponsor, or designated representative must be conducted by the Airspace and Rules Group.

Section 2. Petition Processing

9-2-1. ADMINISTRATIVE PROCESSING

Upon receiving a petition, the FAA will:

a. Assign an OE case number to the petition composed of the last two digits of the calendar year in which the assignment is made, the symbol “AWA” to indicate Washington headquarters, the symbol “OE” to indicate obstruction evaluation, and a serial number. Serial numbers run consecutively within each calendar year.

b. If the petition does not meet the criteria in part 77, notify the petitioner in writing.

c. If the petition meets the criteria in part 77, notify the sponsor, the petitioner (or designated representative), the OES, and, if appropriate, the FCC that the determination is not and will not become final pending disposition of the petition.

d. Distribute a copy of a valid petition and the associated determination to the Spectrum Assignment and Engineering Services, NAS Support Group, Flight Procedures Standards Branch, AFS-420, Airport Engineering Division, AAS-100; and the National Flight Procedures office for their examination.

e. Coordination and consultation with the Office of the Chief Counsel (AGC) is required for high interest or controversial cases.

f. There are no regulatory time frames for completion of the response to a petition of discretionary review. However, every effort should be made to complete the examination, or review, within six months of receipt of the petition.

9-2-2. RECOMMENDATIONS

Based upon the results of the examination of the petition and further coordination with Spectrum Assignment and Engineering Services, AFS-420, AAS-100, National Flight Procedures Office, and, as appropriate, AGC, the Airspace and Rules Group shall recommend to the Director of System Operations Airspace and AIM whether to grant or deny the review, and whether the review should include a public comment period.

9-2-3. DISTRIBUTION OF NOTICES TO GRANT DISCRETIONARY REVIEW

The Airspace and Rules Group will distribute the notice to grant discretionary review in writing to the petitioner, the sponsor (or designated representative), interested parties of record, and the FCC, if appropriate. The notice will include, but is not limited to: a statement of the specific issues to be considered; the aeronautical study number; a description of the proposal’s location and height; the obstruction standards that are exceeded; the date the comment period closes (no less than 45 days from issuance of the grant); where to send comments; and a person to contact for more information.

9-2-4. OES PARTICIPATION

When a discretionary review is granted, the Airspace and Rules Group shall request the OES submit a written summary report and recommendation in accordance with Section 77.37(c)(1). The summary report and recommendation shall include, but is not limited, to the following:

a. The original or certified true copy of the aeronautical study case file.

b. A narrative summary of the aeronautical study including:

1. A full description of height and location of the structure/project.

2. The obstruction standards exceeded and to what extent.

3. Adverse affects, as described in paragraph 6-3-3 of this order.

4. Summary of comments.

5. Summary of discussions conducted with sponsor.

6. Any other necessary information.

c. A recommendation as to the disposition of the petition (e.g., to affirm, revise, or reverse the determination).

d. Verify, if appropriate, the following documents have been entered into the case file:

1. FAA Form 7460-1 or other form notice.

2. Copies of all correspondence sent to the sponsor.
3. Public notice of the aeronautical study.
4. Comments received as a result of circularization for public comment.
5. Notification of informal meetings.
6. Summary of informal meetings.
7. Letters of agreement.
8. Operations letters.
9. Any other pertinent information.

9-2-5. FINAL DECISION

Based on the review of the aeronautical study, the petition, current directives and orders, and comments received, the Airspace and Rules Group shall draft and coordinate a document for the Director of System Operations Airspace and AIM signature that affirms, reverses, or revises the initial determination, or remands the case to OES for termination, re-study or other action as necessary.

9-2-6. DISTRIBUTION OF DECISION

Copies of the final decision must be distributed by the Airspace and Rules Group to the petitioner(s), sponsor (or designated representative), interested parties of record, OES, and FCC, if appropriate.

Section 2. Ad Hoc Committee Procedures for Class B and Class C Airspace Actions

14-2-1. BACKGROUND

The ad hoc committee process was adopted in the 1980s in response to criticism that local user needs and suggestions were not being considered by the FAA during the initial airspace design phase prior to the issuance of an NPRM.

14-2-2. POLICY AND PURPOSE

a. An ad hoc committee must be formed to give users the opportunity to present input and recommendations to the FAA regarding the proposed design of, or modifications to, Class B and C airspace areas. The intent is to obtain suggestions from affected users before a proposed airspace design is developed by the FAA for publication in an NPRM.

b. The ad hoc committee process is not required for proposals to revoke Class B or C airspace or change the airspace designation from full-time to part-time or part-time to fulltime.

14-2-3. COMMITTEE FORMATION

a. To initiate the formation of an ad hoc committee, the service center must first submit a request to the Airspace and Rules Group for approval to begin the public involvement phase (See chapter 15 or 16). A copy of the ATC facility's staff study must be included with the request.

b. Upon approval by the Airspace and Rules Group, the service center begins the ad hoc process by requesting an aviation-related group, such as the concerned state government aviation department or another aviation organization to coordinate the formation of an ad hoc committee. Committee makeup and size should be determined by the local situation or requirements. Committee membership should represent a cross section of airspace users and aviation organizations that would be affected by the proposed airspace change.

c. Once formed, the group should elect a chairperson to lead the committee's efforts.

14-2-4. FAA PARTICIPATION

a. FAA participation on the committee is limited to the role of technical advisor or subject matter expert only. The FAA is not a voting member of the group and is not responsible for the operation of the committee or the development of recommendations.

b. The service center, in collaboration with the affected ATC facility and overlying ARTCC, will designate FAA representative(s). The FAA representative(s) will provide advice and assistance to the committee on technical matters such as ATC procedures, operations, and safety issues.

NOTE-

The number of FAA representatives designated to the committee should be kept to the minimum number required to avoid the appearance of FAA influence on the committee's discussions and recommendations.

c. Upon request, the FAA may provide administrative support to the committee, resources permitting.

14-2-5. COMMITTEE PROCESS

a. There is no set number of ad hoc committee meetings required. The committee should meet as needed to develop its recommendations to present to the FAA.

NOTE-

The ad hoc committee meetings should not be confused with the separate, informal airspace meetings that are also required for Class B and Class C airspace actions (see chapter 2 of this order).

b. At the first ad hoc committee meeting, the FAA representative should:

- 1.** Review the FAA's policy for establishing ad hoc committees and the intended purpose of ad hoc committees.

- 2.** Brief the committee on the purpose and need for the proposed airspace action. A depiction of current/projected traffic flows may be useful to illustrate what the issue is and why an airspace change is needed.

c. The ad hoc committee should limit its focus and efforts to addressing the specific airspace issue for

which it was established. The committee should not address other airspace or procedural enhancement actions that do not contribute to resolving the issue under consideration.

d. Upon completion of the committee's work, the chairperson will ensure that a written report is prepared, summarizing the committee's efforts and documenting its recommendations for FAA consideration. The report is submitted to the FAA service center.

e. The ad hoc committee must automatically be dissolved upon submission of the committee's written report to the FAA.

14-2-6. FAA ACTION ON COMMITTEE RECOMMENDATIONS

a. The committee's recommendations must be considered and, to the extent practicable, should be incorporated into the proposed airspace design (i.e., if operationally feasible, safety and/or efficiency would not be compromised, and there is no conflict with regulations or ATC procedures.)

b. A copy of the committee's report will be included with the service center's recommendation to the Airspace and Rules Group that the project continue to the NPRM phase.

