TITLE 14-AERONAUTICS AND SPACE

CHAPTER I-FEDERAL AVIATION AGENCY

SUBCHAPTER E-AIRSPACE (NEW)

(Airspace Docket No. 63-WA-71)

PART 71-DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS (NEW)

PART 73-SPECIAL USE AIRSPACE (NEW)

Revocation of Restricted Area, Designation of Restricted Areas and Alteration of Controlled Airspace

The purpose of these amendments to §§73.53 and 71.165 of the Federal Aviation Regulations is to revoke one restricted area, designate two restricted areas and exclude these restricted areas from controlled airspace.

The Department of Defense has advised that its installation at Harvey Point, N. C., functions as a Special Testing Activity and that demolitions operations conducted therein constitute a hazard to overflying aircraft due to the altitude attained by fragmentation of explosive charges which are detonated frequently during the hours of both day and night. The Department of Defense has stated an urgent request in the interest of national defense for designation of a continuous restricted area three nautical miles in diameter extending upward to an altitude of 5,000 feet MSL.

Since this hazardous area lies partly within and will be used in conjunction with R-5301, action is taken herein to revoke R-5301 and designate two restricted areas as follows:

1. R-5301A to include all of the present R-5301 except the airspace within R-5301B described below.

2. R-5301B to include the airspace within a 1½ nmi radius of Lat. 36° 05' 25" N, Long. 76° 18' 30" W.

For the reasons stated above, the Administrator finds that a requirement exists for expeditious action in the interest of safety, that notice and public procedure hereon are impractical and contrary to the public interest, and that good cause exists for making this amendment effective with less than thirty days notice.

In consideration of the foregoing, the following actions are taken:

1. In Part 73.53 (28 F. R. 19-35, January 26, 1963), R-5301 is revoked.

2. In Part 73.53 (28 F. R. 19-35, January 26, 1963), R-5301A is added as follows:

   R-5301A Albermarle Sound, N. C.

   Boundaries. A circular area with a 3-mile radius centered at Lat. 36° 03' 30" N, Long. 76° 20' 00" W, excluding the airspace within R-5301B.

   Designated altitudes. Surface to 20,000 feet MSL.

   Time of designation. Sunrise to sunset.

   Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, Va.

3. In Part 73.53 (28 F. R. 19-35, January 26, 1963), R-5301B is added as follows:

   R-5301B Albermarle Sound, N. C.

   Boundaries. A circular area with a 1½-nmi radius centered at Lat. 36° 05' 25" N, Long. 76° 18' 30" W.

   Designated altitudes. Surface to 5,000 feet MSL.

   Time of designation. Continuous.

   Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, Va.

4. In Part 71.165 (27 F. R. 220-59, November 10, 1962), the Edenton, N. C., control area extension, "excluding the portions

within R-5301, R-5302, R-5303, R-5304 and R-5305" is deleted and "excluding the portions within R-5301A, R-5301B, R-5302, R-5303, R-5304 and R-5305" is substituted therefor.

These amendments shall become effective November 14, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U. S. C. 1348).

s/ Lee E. Warren

Director, Air Traffic Service

Issued in Washington, D. C. on October 23, 1963