

Issued in Washington, DC on May 31, 1996.

Thomas C. Accardi,  
Director, Flight Standards Service.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

#### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 is revised to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, 44701; and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

#### §§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

Be amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

. . . Effective June 20, 1996

Bessemer, AL, Bessemer, LOC/DME RWY 5, Orig  
Sacramento, CA, Mather Field, ILS RWY 22L, Orig  
Miami, FL, Opa Locka, ILS RWY 12, Orig  
Miami, FL, Opa Locka, ILS/DME RWY 27R, Orig  
Marietta, GA, Cobb County-McCollum Field, LOC RWY 27, Amdt 3, CANCELLED  
Marietta, GA, Cobb County-McCollum Field, ILS RWY 27, Orig  
Pipestone, MN Pipestone Muni, NDB or GPS RWY 36, Amdt 6  
Statesville, NC, Statesville Muni, VOR/DME RWY 10, Amdt 7  
Statesville, NC, Statesville Muni, LOC RWY 10, Orig  
Statesville, NC, Statesville Muni, NDB RWY 20, Amdt 8, CANCELLED  
Statesville, NC, Statesville Muni, NDB RWY 10, Orig  
Statesville, NC, Statesville Muni, GPS RWY 10, Orig  
Norfolk, VA, Norfolk Intl, GPS RWY 14, Orig  
Norfolk, VA, Norfolk Intl, GPS RWY 32, Orig

. . . Effective August 15, 1996

Andalusia/Opp, AL, Andalusia-Opp, GPS RWY 29, Orig  
Lompoc, CA, Lompoc, GPS RWY 25, Orig  
Placerville, CA, Placerville, GPS RWY 5, Amdt 1  
Ramona, CA, Ramona, GPS RWY 9, Orig  
Goshen, IN, Goshen Muni, GPS RWY 9, Orig  
Red Wing, MN, Red Wing Muni, GPS RWY 9, Orig  
Trenton, NJ, Mercer County, GPS RWY 16, Orig  
Trenton, NJ, Mercer County, GPS RWY 34, Orig  
Tonopah, NV, Tonopah, GPS RWY 15, Orig  
Rutland, VT, Rutland State, GPS RWY 19, Amdt 1  
Rutland, VT, Rutland State, LDA 1 RWY 19, Amdt 7

Note: The FAA published an amendment in Docket No. 28564, Amdt 1726 to part 97 of the Federal Aviation Regulations, Vol 61, No 98, Page 25139, dated Monday, May 20, 1996, Section 97.23 effective June 20, 1996, which is amended as follows:

Wentzville, MO, Wentzville, VOR/DME OR GPS-A, Amdt 2, CANCELLED is amended to read:  
Wentzville, MO, Wentzville, VOR/DME OR GPS-A, Amdt 1, CANCELLED

[FR Doc. 96-14445 Filed 6-6-96; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 97

[Docket No. 28595; Amdt. No. 1733]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference—approved by the Director of the Federal Register

on December 31, 1980, and reapproved as of January 1, 1982.

**ADDRESSES:** Availability of matter incorporated by reference in the amendment is as follows:

#### For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

**For Purchase—**Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

**By Subscription—**Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, US Government Printing Office, Washington, DC 20402.

#### FOR FURTHER INFORMATION CONTACT:

Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8277.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction of charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form

documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

#### The Rule

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAM for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been cancelled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published

aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making these SIAPs effective in less than 30 days.

#### Conclusion

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 DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evolution as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Navigation (Air).

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Thomas C. Accardi,  
*Director, Flight Standards Service.*

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By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB/ DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

. . . EFFECTIVE UPON PUBLICATION

FDC Date	State	City	Airport	FDC Number	SIAP
04/05/96 ...	IA	Iowa City .....	Iowa City Muni .....	FDC 6/2087	VOR OR GPS RWY 35 AMDT 10A...
05/17/96 ...	NE	Fremont .....	Fremont Muni .....	FDC 6/3054	VOR RWY 13, ORIG...
05/17/96 ...	OH	Dayton .....	Dayton-Wright Brothers .....	FDC 6/3053	LOC RWY 20 AMDT 4...
05/20/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3121	VOR/DME OR GPS RWY 22R AMDT 4A...
05/20/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3123	VOR RWY 22R AMDT 4A...
05/20/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3135	NDB RWY 22R AMDT 7A...
05/20/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3136	ILS RWY 22R AMDT 4...
05/20/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3137	ILS RWY 4L AMDT 3...
05/20/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3138	NDB RWY 4L AMDT 2B...
05/21/96 ...	CA	Arcata-Eureka .....	Arcata .....	FDC 6/3166	ILS RWY 32 AMDT 29A...
05/21/96 ...	MS	Jackson .....	Jackson Intl .....	FDC 6/3164	ILS RWY 15L AMDT 7, ILS RWY 15L (CAT II) AMDT 7, ILS RWY 15L (CAT III) AMDT 7...

## . . . EFFECTIVE UPON PUBLICATION—Continued

FDC Date	State	City	Airport	FDC Number	SIAP
05/21/96 ...	OH	Wilmington .....	Airborne Airpark .....	FDC 6/3147	VOR/ OR GPS RWY 4L AMDT 5B...
05/24/96 ...	NY	Olean .....	Cattaraugus County-Olean .....	FDC 6/3245	LOC RWY 22 AMDT 4...
05/24/96 ...	NY	Olean .....	Cattaraugus County-Olean .....	FDC 6/3247	RNAV OR GPS RWY 22 AMDT 4...
05/24/96 ...	NY	Olean .....	Cattaraugus County-Olean .....	FDC 6/3248	NDB RWY 22 AMDT 11...
05/24/96 ...	NY	Wellsville .....	Wellsville Muni-Tarantine Field .....	FDC 6/3239	LOC RWY 28 AMDT 3...
05/24/96 ...	NY	Wellsville .....	Wellsville Muni-Tarantine Field .....	FDC 6/3243	VOR-A AMDT 5...
05/24/96 ...	NY	Wellsville .....	Wellsville Muni-Tarantine Field .....	FDC 6/3244	NDB RWY 28 AMDT 6...
05/28/96 ...	FL	Miami .....	Miami Intl .....	FDC 6/3287	ILS RWY 9R, AMDT 8A...
05/29/96 ...	NY	Westhampton Beach .....	The Francis S. Gabreski .....	FDC 6/3315	ILS RWY 24 AMDT 8A...
05/29/96 ...	NY	Westhampton Beach .....	The Francis S. Gabreski .....	FDC 6/3316	NDB OR GPS RWY 24 AMDT 3...
05/29/96 ...	TX	Brenham .....	Brenham Muni .....	FDC 6/3306	VOR/DME RWY 16, AMDT 1...
05/29/96 ...	TX	Caldwell .....	Caldwell Muni .....	FDC 6/3304	VOR/DME OR GPS- A, AMDT 2...
05/29/96 ...	VA	Manassas .....	Manassas Regional/Harry P. Davis Field.	FDC 6/3310	NDB OR GPS-A AMDT 8...

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**Office of the Secretary****14 CFR Part 399****[Docket No. OST-96-1429]****RIN 2105-AC55****Policies Relating to Rulemaking Proceedings****AGENCY:** Office of the Secretary, DOT.**ACTION:** Final rule.

**SUMMARY:** The Office of the Secretary (OST) is amending an outdated policy statement of the Civil Aeronautics Board on rulemaking proceedings to remove obsolete provisions and to cross-reference the Department of Transportation's rulemaking procedures in another part. This action is in response to the President's Regulatory Reinvention Initiative.

**EFFECTIVE DATE:** This rule is effective June 7, 1996.

**ADDRESSES:** Docket Management Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001.

**FOR FURTHER INFORMATION CONTACT:** Gwyneth Radloff, Office of the Assistant General Counsel for Regulation and Enforcement, U.S. Department of Transportation, 400 Seventh Street,

SW., Washington, DC 20590-0001, Telephone: (202) 366-9305.

**SUPPLEMENTARY INFORMATION:** In his Regulatory Reinvention Initiative Memorandum of March 4, 1995, President Clinton directed Federal agencies to conduct a page-by-page review of all of their regulations and to "eliminate or revise those that are outdated or otherwise in need of reform." In response to that directive, the Department has reviewed its aviation economic regulations contained in 14 CFR Chapter II.

This rule is one of several that address reinvention of these regulations. It eliminates obsolete language on rulemaking petitions that changed with the sunset of the Civil Aeronautics Board and the transfer of its remaining functions to the Department of Transportation and replaces it with a cross-reference to the Department's procedural rules. This rule also replaces the reference to the Board in the section 399.73 definition of small business.

This rule is being issued as a final rule because it concerns agency practice and procedure and, therefore, is exempt from prior notice and comment requirements under section 553 (b) (3) (A) of the Administrative Procedure Act (APA). The Department has determined that notice and an opportunity for public comment are impracticable, unnecessary, and contrary to the public interest. These changes are ministerial, removing obsolete and redundant material or making minor technical and

terminology changes. These changes will not have substantive impact, and the Department does not anticipate receiving meaningful comments on them. Comment is therefore unnecessary, and it would be contrary to the public interest to delay unnecessarily this effort to eliminate or revise outdated rules. For these reasons, the Department has determined that there is good cause under section 553 (d) (3) of the APA to make this rule effective immediately upon publication.

**Regulatory Process Matters**

This final rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866, and therefore it was not reviewed by the Office of Management and Budget. This rule is not considered significant under the Department's regulatory policies and procedures. The changes are being made solely for the purposes of eliminating obsolete requirements and correcting out-of-date references.

The Department also has determined that the economic impact of this rule is so minimal that further economic analysis is unnecessary. This rule does not impose unfunded mandates or requirements that will have any impact on the quality of the human environment.

**Executive Order 12612**

The Department has analyzed this rule under the principles and criteria contained in Executive Order 12612 ("Federalism") and has determined that